PARLIAMENT OF KENYA LIBRARY

Approved.
SNA
30/9/26.

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FIFTH SESSION – 2026

PUBLIC PETITIONS COMMITTEE

REPORT ON-

CONSIDERATION OF PUBLIC PETITION NO. 04 OF 2025 REGARDING UNFAIR LABOUR PRACTICES BY SUKARI INDUSTRIES LIMITED IN HOMA BAY COUNTY.

THE NATIONAL ASSEMBLY
PAPERS LAID
DATE: 30 SEP 2026
DAY. Wednesday
TABLED BY: Hon. Janet Sitienei, MP (Vice-Chairperson)
CLERK-AT THE-TABLE: Lomale

NATIONAL ASSEMBLY
RECEIVED
30 SEP 2026
SPEAKER'S OFFICE
P.O. Box 41842-00100 NAIROBI

Directorate of Audit Appropriations &

General-Purpose Committees

Clerk's Chambers

Main Parliament Buildings

NAIROBI

SEPTEMBER, 2026

Table of Contents

ACRONYMS 3

CHAIRPERSON'S FOREWORD 4

PART ONE 5

1. PREFACE 5

1.1 Establishment and Mandate of the Committee 5

1.2 Committee Membership 6

1.3 Committee Secretariat 7

PART TWO 8

2. BACKGROUND TO THE PETITION 8

2.1 Introduction 8

2.2 Petitioners Prayers 8

PART THREE 9

3. STAKEHOLDERS' SUBMISSIONS ON THE PETITION 9

3.1 The Petitioner 9

3.2 Ministry of Labour 9

3.3 Sukari Industries Limited 15

3.4 Kenya Union of Sugar Plantation and Allied Workers 15

3.5 The Outsourcing Companies 16

PART FOUR 17

4. COMMITTEE OBSERVATIONS 17

PART FIVE 18

5. COMMITTEE RECOMMENDATIONS 18

ANNEXURES 19

ACRONYMS

PAYE	Pay As You Earn
NSSF	National Social Security Fund
SHIF	Social Health Insurance Fund
PPE	Personal Protective Equipment

CHAIRPERSON'S FOREWORD

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 227, it is my pleasant privilege and honour to present this House the Report of the Public Petitions Committee regarding public petition No.4 OF 2025 regarding unfair labour practices by Sukari Industries Limited in Homa Bay County. The Petition was presented to the House pursuant to Standing Order No. 225 (2) (a) by Hon. Martin Peters Owino, M.P. on behalf of the workers of Sukari Industry, Ndhiwa Constituency, Homa Bay County.

The Petitioner prayed that the National Assembly through the Public Petitions Committee inquire into the alleged discrimination, unfavourable working conditions and unfair treatment of both outsourced and directly employed workers, whether local or foreign. Further the Petitioner prayed that the Committee recommends that Sukari Industries Limited allow its workers, including those hired through outsourcing firms, to join or form labour unions to safeguard their rights, particularly their right to fair remuneration and reasonable working conditions, as guaranteed under Article 41 of the Constitution;

In consideration of the Petition, the Committee collected the views from the petitioner, Ministry responsible for labour and the Management of Sukari Industry on the various issues raised in the petition.

The Committee observed grievances by Sukari Industry workers included racial discrimination, unfavourable working conditions and unfair treatment and labour practices of both outsourced and directly employed workers, whether local or foreign at Sukari Industries Limited.

The Committee recommended that the Ministry of Labour and Social Protection undertake investigation of the unfair labour practices by Sukari Industries Limited. Further, the Committee recommends that all workers must be allowed to belong to a union of their choice and the Employer must deduct union dues from all that have confirmed in writing through check-offs to be deducted and remit to the Union.

The Committee is thankful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support offered during the consideration of the Petition. The Chairperson expresses gratitude to the Members of the Committee and the secretariat for their devotion and commitment to duty during the consideration of the Petition.

On behalf of the Committee and pursuant to the provisions of Standing Order 199, I now wish to table the report before the House.

HON. MUCHANGI KAREMBA, CBS, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

PART ONE

1. PREFACE

1.1 Establishment and Mandate of the Committee

1) The Public Petitions Committee was established under the provisions of Standing Order 208A with the following terms of reference:
   i) considering all public petitions tabled in the House;
   ii) making such recommendations as may be appropriate with respect to the prayers sought in the petitions;
   iii) recommending whether the findings arising from consideration of a petition should be debated; and
   iv) advising the House and reporting on all public petitions committed to it.

1.2 Committee Membership

2) The Public Petitions Committee was constituted in October 2022 and comprises the following Members:

Chairperson
Hon. Muchangi Karemba, CBS, M.P.
Runyenjes Constituency
United Democratic Alliance (UDA)

Vice Chairperson
Hon. Janet Jepkemboi Sitienei, M.P
Turbo Constituency
United Democratic Alliance (UDA)

Hon. Patrick Makau King'ola, M.P.
Mavoko Constituency
Wiper Democratic Movement-Kenya (WDM-K)

Hon. Edith Vethi Nyenze, M.P.
Kitui West Constituency
Wiper Democratic Movement-Kenya (WDM-K)

Hon. Ntwiga Patrick Munene, M.P.
Chuka Igambang'ombe Constituency
United Democratic Alliance (UDA

Hon. Maisori Marwa Kitayama, M.P.
Kuria East Constituency
United Democratic Alliance (UDA)

Hon. Joshua Chepyegon Kandie, M.P.
Baringo Central Constituency
United Democratic Alliance (UDA)

Hon. Beatrice Kadeveresia Elachi, M.P.
Dagoretti North Constituency
Orange Democratic Movement (ODM)

Hon. Bernard Muriuki Nebart, M.P.
Mbeere South Constituency
Independent

Hon. Biego Paul Kibichy, M.P.
Chesumei
United Democratic Alliance (UDA)

Hon. Peter Irungu Kihungi, M.P.
Kangema Constituency
Maendeleo Chap Chap Party (MCCP)

Hon. John Bwire Okano, M.P.
Taveta Constituency
Wiper Democratic Movement-Kenya (WDM-K)

Hon. Peter Mbogho Shake, M.P.
Mwatate Constituency
Jubilee Party (JP)

Hon. Sloya Clement Logova, M.P.
Sabatia Constituency
United Democratic Alliance (UDA)

Hon. Suzanne Ndunge Kiamba, M.P.
Makueni Constituency
Wiper Democratic Movement-Kenya (WDM-K)

1.3 Committee Secretariat

3) The Public Petitions Committee is facilitated by the following members of the secretariat:

Lead Clerk
Mr. Victor Weke
Principal Clerk Assistant II

Ms. Miriam Modo
First Clerk Assistant

Mr. Benard Toroitich
Third Clerk Assistant

Ms. Kafuyai Wamae
Third Clerk Assistant

Mr. Clinton Sindiga
Legal Counsel II

Ms. Nancy Akinyi
Research Officer III

Ms. Viola Saiya
Research Officer III

Ms. Roselyne Njuki
Principal Serjeant-at-Arms

Mr. Paul Shana
Serjeant-at-Arms

Mr. Pascal Valerian
Hansard Officer III

Mr. Collins Mahamba
Audio Officer III

Ms. Felistus Muiya
Public Communication Officer

Ms. Fridah Ngari
Media Relations Officer III

Mr. Valerian Ongendo
Hansard Reporter II

PART TWO

2. BACKGROUND TO THE PETITION

2.1 Introduction

4) The Petition is brought before the House by Hon. Martin Peters Owino, Member of Parliament on behalf of the workers of Sukari Industries Limited in Ndhiwa Constituency, Homa Bay County.
5) The Petitioner submits that there has been alleged discrimination, unfavourable working conditions and unfair treatment and labour practices of both outsourced and directly employed workers, whether local or foreign at Sukari Industries Limited.
6) The Petitioner further avers that the workers are prohibited from joining or forming labour unions and their employment terminated arbitrarily without due process by the company's management, particularly for the local workers.
7) Consequently, on 8th February 2024, several workers at Sukari Industries Limited staged a protest against the unfair labour practices, since all efforts to address these concerns through dialogue and engagement have been unsuccessful.

2.2 Petitioners Prayers

8) The Petitioners prayed that the National Assembly through the Public Petitions Committee:
   i) Inquire into the alleged discrimination, unfavourable working conditions and unfair treatment of both outsourced and directly employed workers, whether local or foreign;
   ii) Recommend that Sukari Industries Limited allow its workers, including those hired through outsourcing firms, to join or form labour unions to safeguard their rights, particularly their right to fair remuneration and reasonable working conditions, as guaranteed under Article 41 of the Constitution;
   iii) Make any other recommendation(s) that it may deem appropriate in addressing the grievances of the Petitioners.

PART THREE

3. STAKEHOLDERS' SUBMISSIONS ON THE PETITION

3.1 The Petitioner

9) Hon. Martin Peters Owino, Member of Parliament on behalf of the workers of Sukari Industries Limited in Ndhiwa Constituency, Homa Bay County appeared before the Committee on 10th June 2025 and submitted as follows;
10) There has been alleged discrimination, unfavourable working conditions and unfair treatment and labour practices of both outsourced and directly employed workers, whether local or foreign at Sukari Industries Limited.
11) Workers are prohibited from joining or forming labour unions and their employment terminated arbitrarily without due process by the company's management, particularly for the local workers.
12) On 8th February 2024, several workers at Sukari Industries Limited staged a protest against the unfair labour practices, since all efforts to address these concerns through dialogue and engagement have been unsuccessful.
13) Workers at the industry had added the following matters as grievances;
    i) Being outsourced under inferior terms as opposed to those employed by the main company. That the Expatriates were accorded superior terms even when their qualifications and experience were suspect;
    ii) Matters of safety and Health including issuance of PPEs.
    iii) Not being allowed to join trade unions.

3.2 Ministry of Labour

14) The Cabinet Secretary for Labour, Hon. Alfred Mutua, EGH appeared before the Committee on 11th March 2026 and submitted as follows:
15) Upon receipt of the petition, the Ministry, through the County Labour Officer and the County Occupational Health and Safety Officer in Homabay, conducted investigations into the allegations of discrimination, unfavourable working conditions and unfair treatment at the company.
16) It was noted that the implementation of the resolutions made to address the grievances raised by the employees during their industrial action in 2024 had led to elimination of all forms of discrimination that had been witnessed prior to the strike.
17) It was also noted that most employees are issued with PPEs, especially those working in the main factory. However, some employees at the weighbridge stations and even the main factory lacked PPEs yet other were worn out.
18) It was also confirmed that Sukari Industries Limited and all the three outsourcing firms have insurance cover for their employees in cases of accidents. Additionally, it was noted that there are ambulances stationed at the main factory in case of emergencies, but the weighbridge stations do not have standby ambulances and rely on those at the main factory.
19) It was also confirmed that Sukari Industries Limited and the three outsourcing firms do deduct and remit NSSF dues as required by law.

20) The right of workers to join or form trade unions is a fundamental labour right guaranteed under Article 41 of the Constitution of Kenya (2010), which provides for fair labour practices, including the right to fair remuneration, reasonable working conditions, and freedom of association. These rights are further operationalized under the Labour Relations Act 2007, which protects employees from discrimination or victimization on account of union membership or participation in union activities.
21) In this regard, employers are required to respect and uphold these rights for all workers, including those engaged through outsourcing or third-party employment arrangements. Consequently, Sukari Industries Limited and all the contracted Outsourcing companies, like all employers operating in Kenya, are obligated to comply with these legal provisions and must not obstruct employees from joining or forming trade unions of their choice.
22) During the investigations, it was confirmed that all the outsourcing companies have allowed their employees to join labour unions. This is evidenced by the deposit slips for deducted union dues for various months.
23) A team constituted by the Cabinet Secretary visited the factory on 20th & 21st April 2026. The team comprised of two Senior Labour Officers, two Senior Safety & Health officers and was coordinated by an Under Secretary from the office of the Principal Secretary.

Terms of Reference for the Team

24) The team was tasked with:
   i) Investigating the allegations of violations of labour rights which led to workers going on strike in February 2024.
   ii) Investigating the extent to which the resolutions made after the strike had been implemented by the Management;
   iii) Establishing any other labour violations that may exist and recommending corrective measures for any violations noted to improve compliance with legal obligations as provided in the Labour Statutes: Employment Act Cap 226, Labour Institutions Act Cap 234, Labour Relations Act Cap 233, Occupational Safety and Health Act Cap 236A and Work Injury Benefits Act Cap 236.
25) To accomplish the above terms of reference, the team engaged all the stakeholders who included:
   i) The Senior Management of the Sukari Industries Company Limited;
   ii) The Representative of the Member of Parliament for Ndhiwa, the NGCDF Manager, Mr. Joseph Ondeng'e Alal;
   iii) The Representative of the Area Member of the County Assembly, Mr. Jacob Onoka;
   iv) The Officials of the Union (Kenya Union of Sugar Plantation Workers) led by the Branch Secretary Mr. Philo Ongoro, Branch Treasurer Ms. Beth Nyaga, and Assistant Branch Treasurer, Mr. Nicholas Amolo;
   v) The Management of the Outsourcing Companies, namely, M/s Volt Management Services Ltd, M/s Platinum Outsourcing Logistics EA Ltd, M/s Consolidated HR Solutions, M/s Rolls Ltd (Newly on-boarded);

vi) Inspected the factory to confirm the issues of safety and health;
vii) Inspected employee records to confirm compliance with labour statutes: Employment Act and Labour Institutions Act on terms and conditions of employment.

Issues raised by workers in a meeting held on 26th February 2024 following the strike of 8th February 2024 and resolutions made in the meeting

26) Arising out of the strike of 8th February 2024, a meeting was held on 26th February 2024 which comprised of the Management of Sukari Industries, The Management of the Outsourcing companies and the workers representatives. The following grievances were raised by workers and discussed in the meeting:

i) Request for salary review due to inflation and elevation of Ndhiwa as a Municipality.
ii) Racism and discrimination especially from Auto workshop and top management of Sukari
iii) Unfair and unprocedural termination of employees
iv) Request for staff canteen
v) Salaries to be paid through bank and not MPESA
vi) Outsourcing companies were issuing poor PPEs
vii) Tractor drivers request for basic salary just like prime mover drivers.
viii) Staff bus to be introduced to drop employees home after work.
ix) Mid-month salary advances to be reinstated.
x) Discrimination in the use of ambulance.
xi) Discrimination in rates of wages with Indian workers being paid more than local counterparts.
xii) Failure to remit statutory deductions.
xiii) Employees should be allowed to join a union of their choice.
xiv) Factory emergency exits blocked risking the life of staff in case of emergencies.
xv) Employees are retiring without gratuity/service pay.

27) During the meeting, the following resolutions were made:

i) Salaries for the general workers would be revised to the new rates as per a schedule that had been attached. The new rates would be effective from 1st March 2024.
ii) Tractor drivers' tonnage rate would be revised to Kshs. 39 per ton with effect from 1st March 2024.
iii) Subcommittee of the Workers Committee was formed, under the chairmanship of the Employee Health and Safety Manager, to address health and safety issues raised with a view to closure by end of April 2024.
iv) Subcommittee of the Workers Committee was formed, under the chairmanship of the Human Resource Manager, to address employee welfare issues raised with a view to closure by end of April 2024.
v) Laid down processes of consultations should be followed in future in order to resolve issues and grievances before they escalate.

vi) Workers committee should be strengthened as a means to achieving and maintaining industrial peace with each outsourcing company committing to maintaining a workers committee that would be meeting at least once every month, with minutes of these meetings shared with Sukari Industries management. Additionally, the Human Resource Manager of Sukari Industries Limited shall meet outsourcing companies and members of the workers committees at least once monthly to review common grievances affecting workers.

vii) Grievances raised concerning loaders and truck drivers were not part of the original grievances raised during the strike and therefore were to be raised differently and addressed separately.

viii) Salary advance shall be given on emergency cases only upon written request. Employers to avoid being unreasonable where there are deserving cases.

ix) Employees have the option of choosing their pay point between bank account and MPESA. Employees to inform employers well in advance when there are changes in the pay point.

x) All drivers are to be issued with employment contracts by their respective employers.

xi) Employers are responsible for defining the required PPEs for the various cadre of staff, and its issuance. The employer is to ensure the PPEs are of good quality and are issued on time. The employees are to ensure they take good care of the PPEs.

xii) The ambulance is to be made available to all at the factory. The mobile number for ambulance services to be shared.

xiii) The company is to ensure there is equity in the issuance of airtime.

xiv) Company committed to following due process at all times especially in matters of dismissals and termination of service.

xv) Company committed to following a fair process in promotions and appointments and ensure that formal letters are issued.

xvi) At the appropriate time, the company to undertake the construction of a staff canteen.

General Human Resource Management

28) The team confirmed that a total of five companies, inclusive of Sukari Industries Limited, manage the workforce at the Sukari Industries Limited. There is a total workforce of 1870.

29) The Main Company-Sukari Industries Limited employs a work force of 122 mainly the Management staff, supervisors and other technical staff. These are engaged on permanent terms. In addition, Sukari Industries Limited has brought on board four outsourcing companies that supply it with labour. These companies are:

i) Platinum Outsourcing & Logistics East Africa Limited, which employs a total of 891 employees in Mechanical, Electrical and Instrumentation departments. This company is also engaged in Cane haulage where they employ Tractor drivers and Loaders whom they pay on piece rate.

ii) Volt Management Limited, which employs 327 employees in Auto Workshop, Recovery, Fuel Station, Finance, security Marshals and Civil works.

iii) Consolidated Human Resource Solutions Limited, which employs 490 workers.

iv) Rolls Limited, which is barely one month old and employs 40 employees.

30) Of importance to note is that although the Outsourcing Companies are the employers of their work force, the management of Sukari Industries Limited retains control over the outsourcing companies; Sukari Industries decide who is employed, the rates of pay for the employees, and all other conditions of employment. This makes Sukari Industries Limited severally jointly liable in the event of any compliance issues.

Findings of the Fact-finding visit

31) Based on the engagement with stakeholders and a look at the employers' employee records, the team noted that indeed there has been some improvement since the strike of February 2024. Specifically, it was noted that:

i) As agreed in the meeting of 26th February 2024 wages had been increased. This includes the rate for those on piece rate-those paid per tonnage effective march 2024.

ii) The Companies had allowed workers to form/join a Trade Union and were deducting and remitting union dues.

iii) The Human Resource Manager conducts monthly meetings with the outsourcing companies to monitor progress.

iv) Union officials have been allowed to engage with the HR office whenever there is an issue that needs the attention of management.

32) However, even though these positive strides had been made, there is need to do more, specifically;

i) Although the companies had allowed workers to form/join a trade union of their choice, there was no evidence that there were any structured engagements between the union officials and the Managements of all the companies. The Union still faces challenges because the companies were said not to be deducting union dues from all employees that had accepted to join the union and be deducted union dues. In fact, the Sukari Industries Limited has declined to deduct union dues for any employee who has signed the check-off form on the grounds that its entire workforce is made up of employees who are part of management, which is incorrect.

ii) Although the meeting had resolved to strengthen the workers committees and which were to be constituted by each and every outsourcing company, this has not been achieved. The last meetings happened in 2024.

iii) Workers are still disillusioned with being employed through third parties as opposed to being employed by the company directly. This is premised on the fact that those on the Sukari Industries Limited payroll enjoy superior terms and conditions and are employed on permanent terms whereas those under Outsourced companies are engaged on one-year contracts and their terms and conditions are inferior.

iv) The Tractor Drivers and the Loaders' terms and conditions of employment do not accord with those provided for in the Law. These employees were not enjoying leaves and worked for long hours.

v) Although the wages for the workers had been increased as agreed in the meeting of 26th February 2024, a scrutiny of the payrolls of some of the outsourcing companies showed

that wages paid to some cadre of employees were not consistent with the minimum wage guideline, Legal Notice No. 164 of 2024.

vi) Whereas it was agreed during the meeting of 26th February 2026 that the companies would define the required PPEs for each cadre of employees and provide them once year, this has not been adhered to fully.

vii) Although some fire exits and emergency exits, that had been blocked, have been made accessible, others still remain locked and manned for 'security' reasons, contrary to provisions of the Occupational Safety and Health Act.

viii) Critical Occupational Safety and Health Committees have not been constituted as envisaged in the Occupational Safety and Health Act. These committees include the Safety and Health Committee, Fire Fighting Team and First Aid Team.

ix) There is suspected under reporting, by the employers, of occupational accidents that have occurred at the factory.

33) It was also noted that although the workers had alleged forms of racial discrimination in terms of pay structures, no evidence for the same was shared with the team to help address it. However, the same will be highlighted in the contravention report to be addressed to the Management of the Company.

Recommendations

34) Based on the visit, the ministry makes the following recommendations;

i) Freedom of Association must be respected by all the Employers within the Sukari Industries Limited. Workers must be allowed to belong to the Union of their choice and the Employers must deduct union dues from all that have confirmed in writing through check-offs to be deducted and remit to the Union. This should include the Management of Sukari Industries which had not started deducting even though its workers had joined the union.

ii) The Managements should strengthen the Works Committees as earlier agreed and this time they should be structured under the Union. This should be able to help deal with any issues/grievances that the workers may be having.

iii) Sukari Industries should harmonize the terms and conditions of employment between its employees and those of the Outsourcing companies to eliminate discrimination and achieve the principle of equal pay for work of equal value.

iv) The Tractor drivers and the Loaders' terms and conditions must accord with the Law. (Contravention letter advising on this shall be issued to the company).

v) All the companies, especially the Outsourcing companies, need to adjust their wages to conform with Legal Notice No. 164 0f 2024. (Contravention letter advising on this shall be issued to the companies).

vi) The Companies must ensure they provide the appropriate and adequate PPEs in compliance with the Occupational Safety and Health Act. Additionally, Risk Assessments must be done as per the Act to guide on the PPEs required by the various cadre of employees. PPE Issuance Register must be kept and availed, upon request by the DOSHS Officer, for inspection.

vii) All Fire Exits within the factory must remain easily accessible from the inside when workers are within the premises.

viii) All statutory Occupational Safety and Health Committees need to be reconstituted and operationalized in conformity with the law.

ix) Companies must report all accidents in the prescribed manner and within the specified timelines to facilitate compensation if any. Any pending compensable claim should be settled with immediate effect and report filed with the DOSHS office

3.3 Sukari Industries Limited

35) The Management of Sukari Industries Limited Submitted that they are a member of the Rai Group of Companies which operates, among other business ventures, 5 Sugar factories in Kenya located in Homa Bay County (Sukari Industries Limited), Kakamega County (West Kenya Sugar Company), Busia County (Olepito Sugar Company) and Bungoma County (Nzoia Sugar Company and Naitiri Sugar Company). Sukari Industries Limited has been operating in Homa Bay County since 2017.

36) As a company, they have had challenges with the community and the workers but through purposive engagements they have been able to surmount the challenges. Management submitted that since the strike of February 2024, things had improved and most of the resolutions had been implemented as agreed.

37) Specifically, they submitted that;

i) They had increased the wages as agreed.

ii) Workers had been allowed to join the Union and in fact the Union has had a Branch Registered and now deductions are being made;

iii) They supervise the Outsourcing companies to ensure compliance with the statutory deductions every month as well as compliance with other requirements of the Law.

3.4 Kenya Union of Sugar Plantation and Allied Workers

38) The Union submitted that although there had been some improvements since the strike, there was still much to be done.

39) Wages were increased but they were still low especially for those engaged by Outsourcing companies. They demanded that the wages be based on the Municipality rates as Ndhiwa had been upgraded as one.

40) Although Union had been allowed to operate, there was still fear of victimization on account of membership to the Union.

41) The Companies were not deducting wages from all those who had shown interest to belong to the Union. As a matter of fact, Sukari industries Limited had blatantly refused to deduct from their employees who had joined the union.

42) There was job insecurity as their contracts were based on the contracts between Sukari Industries Limited and the Outsourcing companies.

43) The tractor drivers were working for long hours without compensation.

3.5 The Outsourcing Companies

44) M/s Volt Management Services Ltd, M/s Platinum Outsourcing Logistics EA Ltd, M/s Consolidated HR Solutions, M/s Rolls Ltd comprise the outsourcing companies.
45) The managements submitted that they are engaged by Sukari Industries to supply and manage labour force on one-year contracts. Based on this, they issue one-year contracts to their employees too.
46) Sukari Industries Limited controls their operations in that they decide how many workers to hire, how much the workers are paid, the skills the workers should possess, and all the other terms and conditions of employment pertaining to the employees, including issuance of PPEs.
47) They have complied with the decisions made during a meeting following the strike of February 2024 (although Platinum Outsourcing Logistics was on-boarded later).
48) They have allowed their workers to join the Union and have started deducting and remitting union dues.
49) They deduct and remit all statutory deductions (PAYE, NSSF, SHIF and Affordable Housing Levy) promptly and monthly.
50) They were willing to comply with any other legal provisions if and when guided.

PART FOUR

4. COMMITTEE OBSERVATIONS

Upon hearing from the Petitioner and other stakeholders, the Committee observed that –

51) The Sukari Industries Limited are a member of the Rai Group of Companies which operates, among other business ventures, 5 Sugar factories in Kenya located in Homa Bay County (Sukari Industries Limited), Kakamega County (West Kenya Sugar Company), Busia County (Olepito Sugar Company) and Bungoma County (Nzoia Sugar Company and Naitiri Sugar Company). Sukari Industries Limited has been operating in Homa Bay County since 2017.
52) Despite Outsourcing Companies being the Employers of their work force, the management of Sukari Industries Limited retains control over the outsourcing companies; Sukari Industries decide who is employed, the rates of pay for the employees, and all other conditions of employment. This makes Sukari Industries Limited severally jointly liable in the event of any compliance issues.
53) The finding by the ministry that the main Company-Sukari Industries Limited maintains the aforementioned control demonstrates intentional layering by the main company in attempts to shield itself from liability, and continued discrimination between those directly employed by them and those 'outsourced'.
54) The Committee noted flagrant abuse and disregard of rights of workers guaranteed by the Constitution and non-adherence to the Occupational Safety and Health Act and other labour laws and international standards.
55) The aforementioned disregard of the law has been abetted by an ineffective county labour office and the ministry in general. This is manifest in the response of the Cabinet Secretary who was jolted into (re)action after filing of the petition, despite industrial action having been documented in 2024.
56) Worse still, it was appalling that the ministry noted a lack of a structured framework with unions, refusal by the company to remit union deductions, inadequate PPEs, inaccessible emergency and fire exits, working beyond contractual hours and non-adherence to legal notice no. 164 of 2024 on minimum wages, but had condoned or not taken decisive action on the same.

PART FIVE

5. COMMITTEE RECOMMENDATIONS

57) Pursuant to the provisions of Standing Order 227, the Committee recommends that-

i) On the prayer that the Committee inquires into the alleged discrimination, unfavourable working conditions and unfair treatment of both outsourced and directly employed workers, whether local or foreign; **The Committee reprimands the Cabinet Secretary, Ministry of Labour and Social Protection and recommends that the Cabinet Secretary immediately issues notice to Sukari Industries Limited to comply with Article 41 of the Constitution and all prevailing labour laws, failure to which the factory be shut down for non-compliance.**

From the foregoing, the Cabinet Secretary submits a report to the National Assembly within ninety (90) days of tabling of this report.

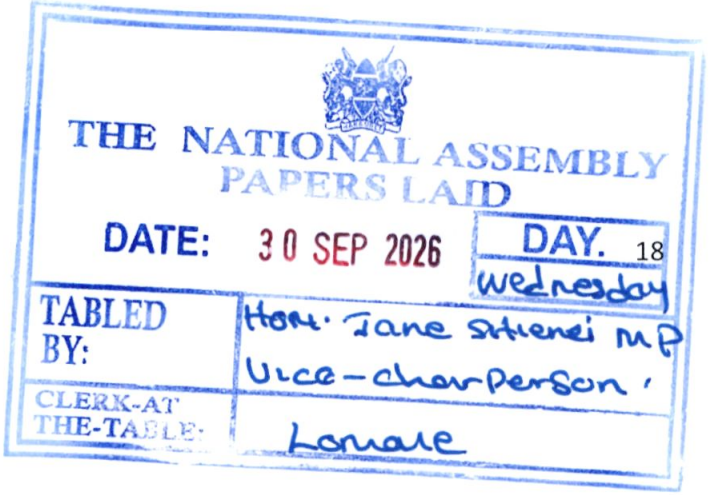
ii) On the prayer that the Committee recommends that Sukari Industries Limited allow its workers, including those hired through outsourcing firms, to join or form labour unions to safeguard their rights, particularly their right to fair remuneration and reasonable working conditions, as guaranteed under Article 41 of the Constitution; **the Committee reiterates its recommendation in prayer (i) above.**

iii) On the prayer that the Committee makes any other recommendation that it may deem appropriate in addressing the grievances of the petitioners; **the Committee recommends that the Cabinet Secretary ensures strict compliance with labour laws cited in recommendation (i) above, across all industries/ sectors and by all employers.**

Signed: _____ **Date:** 30-09-2026

HON. MUCHANGI KAREMBA, CBS, M.P.

CHAIRPERSON, PUBLIC PETITIONS COMMITTEE



ANNEXURES

Annex 1: Adoption List.

Annex 2: Public Petition No. 04 of 2025 regarding unfair labour practices by Sukari Industries Limited in Homa Bay County.

Annex 3: Minutes of the proceedings.

PUBLIC PETITIONS COMMITTEE

ADOPTION LIST

(i) Consideration and adoption of the P/No. 04 of 2025 regarding unfair labour practices by Sukari Industries Limited in Homa Bay County by Hon. Martins Owino, MP.

We, the undersigned, hereby affix our signatures to this Report to affirm our approval:

DATE: 3/9/2026

	HON. MEMBER	SIGNATURE
1.	Hon. Muchangi Karemba,CBS, M.P.(Chairperson)	
2.	Hon. Janet Jepkemboi Sitienei, CBS, M.P.(Vice Chairperson)	
3.	Hon. Patrick Makau King'ola, M.P.	
4.	Hon. Beatrice Kadeveresia Elachi, CBS, M.P.	
5.	Hon. Joshua Chepyegon Kandie, M.P.	
6.	Hon. Maisori Marwa Kitayama, M.P.	
7.	Hon. Edith Vethi Nyenze, M.P.	
8.	Hon. Patrick Ntwiga Munene,CBS, M.P.	
9.	Hon. Paul Biego Kibichy, M.P.	
10.	Hon. (Eng.) Bernard Muriuki Nebart, M.P.	
11.	Hon. Peter Mbogho Shake, M.P.	
12.	Hon. Suzanne Ndunge Kiamba, M.P.	
13.	Hon. John Bwire Okano, M.P.	
14.	Hon. Sloya Clement Logova, M.P.	
15.	Hon. Peter Irungu Kihungi, M.P.	

Hon. Speaker, You may approve. Application 2/4.

Approved SNA 2/4/25

REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT (FOURTH SESSION)

PUBLIC PETITION

(No.04 of 2025)

REGARDING UNFAIR LABOUR PRACTICES BY SUKARI INDUSTRIES LIMITED IN HOMA BAY COUNTY

I, the **UNDERSIGNED** on behalf of workers of *Sukari Industries Limited* in Homa Bay County;

DRAW the attention of the House to the following:

1. **THAT,** on 8th February 2024, workers at *Sukari Industries Limited* in Ndhiwa Constituency staged a protest against discrimination, unfair labour practices, and unfavourable working conditions imposed by their employer, which violate Article 27 of the Constitution;

2. **THAT,** while some of the workers are directly employed by the company, a majority of them are engaged through outsourced firms. This has resulted in significant disparities in employment terms, benefits, compensation, and other entitlements;

3. **THAT,** there is alleged discrimination between foreign and local workers, including differences in pay for equal work, separate meetings for the different groups, unfair allocation of field and airtime allowances, and the withdrawal of salary advances, overtime, and lunch allowances;

4. **THAT,** the workers employed through outsourcing firms are not provided with personal protective equipments (PPEs) and lack any policy for compensation in case of work-related injuries or fatalities. Additionally, ambulance services are unreliable and often unavailable during emergencies;

5. **THAT,** the company's management is largely unapproachable, particularly to local workers, and often terminates their employment arbitrarily without due process. Furthermore, workers are prohibited from joining or forming labour unions;

6. **THAT,** tractor drivers do not have formal contracts with the company, and their salaries and other payments are made through mobile money transfers instead of structured payroll systems;

NATIONAL ASSEMBLY
RECEIVED
02 APR 2025
SPEAKER'S OFFICE
P. O. Box 41842, NAIROBI.

REGARDING UNFAIR LABOUR PRACTICES BY SUKARI INDUSTRIES LIMITED IN HOMA BAY COUNTY

7. **THAT,** since October 2023, contractual workers' contributions to the National Social Security Fund (NSSF) have been halted, and service gratuity is not provided;

8. **THAT,** all efforts to address these concerns through dialogue and engagement have been unsuccessful; and,

9. **THAT**, the issues raised in this Petition are not pending before any tribunal, court of law, or any constitutional or legal body.

THEREFORE, your humble Petitioners pray that the National Assembly through the Public Petitions Committee;

i. inquires into the alleged discrimination, unfavourable working conditions and unfair treatment of both outsourced and directly employed workers, whether local or foreign;

ii. recommends that *Sukari Industries Limited* allow its workers, including those hired through outsourcing firms, to join or form labour unions to safeguard their rights, particularly their right to fair remuneration and reasonable working conditions, as guaranteed under Article 41 of the Constitution;

iii. makes any other recommendation(s) that it may deem appropriate to address the grievances of the Petitioners.

And your **PETITIONERS** will ever pray.

PRESENTED BY:

THE HON. MARTIN PETERS OWINO, MP
MEMBER FOR NDHIWA CONSTITUENCY

Date .....

MINUTES OF THE 54TH SITTING OF THE PUBLIC PETITIONS COMMITTEE HELD ON THURSDAY, 3RD SEPTEMBER, 2026 IN MASHUA CONFERENCE ROOM, SERENA HOTEL, MOMBASA COUNTY AT 9:00 A.M.

PRESENT

1. Hon. Eric Muchangi Karemba, CBS M.P. - **Chairperson**
2. Hon. Janet Jepkemboi Sitienei, CBS, M.P. - **Vice-Chairperson**
3. Hon. Beatrice Kadeveresia Elachi, CBS, M.P.
4. Hon. Joshua Chepyegon Kandie, M.P.
5. Hon. Maisori Marwa Kitayama, M.P.
6. Hon. (Eng.) Bernard Nebart Muriuki, M.P.
7. Hon. Suzanne Ndunge Kiamba, M.P.
8. Hon. Peter Irungu Kihungi, M.P.
9. Hon. Edith Vethi Nyenze, M.P.
10. Hon. Paul Biego Kibichiy, M.P.

APOLOGIES

1. Hon. Patrick Makau King'ola, M.P.
2. Hon. Peter Mbogho Shake, M.P.
3. Hon. Sloya Clement Logova, M.P.
4. Hon. Patrick Ntwiga Munene, CBS, M.P.
5. Hon. John Bwire Okano, M.P.

IN-ATTENDANCE

SECRETARIAT

1.	Mr. Oscar Namulanda	-	Deputy Director/HOD
2.	Mr. Victor Weke	-	Principal Clerk Assistant II
3.	Ms. Miriam Modo	-	Clerk Assistant I
4.	Mr. Bernard Toroitich	-	Clerk Assistant III
5.	Ms. Kafuyai Wamae	-	Clerk Assistant III
6.	Mr. Clinton Sindiga	-	Legal Counsel II
7.	Ms. Nancy Akinyi	-	Research Officer III
8.	Mr. Valerian Pascal	-	Hansard Officer II
9.	Mr. Collins Mahamba	-	Audio Officer
10.	Ms. Fridah Ngari	-	Media Relation Officer
11.	Mr. Paul Shani	-	Serjeant-at-Arms
12.	Mr. Mahlon Kiprono	-	Intern

MIN./PPC/2026/277: PRELIMINARIES

The Chairperson called the meeting to order at 9:00 am and opening prayers were led by the Hon. Maisori Marwa Kitayama, M.P.

MIN./PPC/2026/278: ADOPTION OF AGENDA

The proposed agenda was adopted having been proposed by Hon. Suzanne Ndunge Kiamba, M.P, and seconded by, Hon. Edith Vethi Nyenze, M.P.

AGENDA

1. Prayer and Preliminaries
2. Adoption of the Agenda
3. Confirmation of previous Minutes
4. Matters Arising
5. **Consideration and adoption of the following Public Petition Reports:**
   - **(i) P/No. 59 of 2023 regarding Settlement of Ontulili Mount Kenya Forest Squatters by Mr. Patrick and Mr. Robert Wanjau;**
   - **(ii) P/No. 18 of 2025 regarding Road reserve boundaries and protection of ancestral land by residents of Gitei Village, Kiambu County; and**
   - **(iii) P/No. 04 of 2024 regarding the proliferation of LGBTQ persons in Kenya by Hon. Mohamed Ali, MP.**
   - **(iv) P/No. 04 of 2025 regarding unfair labour practices by Sukari Industries Limited in Homa Bay County by Hon. Martins Owino, MP**
6. Any Other Business
7. Adjournment and Date of the Next Meeting

MIN./PPC/2026/279: CONFIRMATION OF MINUTES

This agenda item was deferred to the next sitting.

MIN./PPC/2026/280: CONSIDERATION AND ADOPTION OF REPORTS ON VARIOUS PUBLIC PETITIONS

a) Public Petition No. 59 of 2023 regarding Settlement of Ontulili Mount Kenya Forest Squatters by Mr. Patrick and Mr. Robert Wanjau.

The adoption of the Draft Report was deferred pending site visit Ontulili, the Committee resolved to conduct site visit to have an engagement with Ontulili Mount Kenya Forest Squatters.

b) Public Petition No. 18 of 2025 regarding Road reserve boundaries and protection of ancestral land by residents of Gitei Village, Kiambu County

The Committee considered and adopted the Draft Report unanimously having been proposed by the Hon. Joshua Kandie, MP and seconded by the Hon. Nerbert Muriuki, MP as follows –

i) On the prayer that the National Assembly inquires into the immediate review and revocation of reliance on Survey Plan FR No.9/69(1941) and adoption of current statutes, gazette notices and the recommendation for gazettement of the road reserve between KM 12+800 (Kiu River) and KM 14+500(Kirigiti) as 40 metres to ensure uniformity with the rest of the Kiambu-Ruiru road corridor; **the Committee declines to grant this prayer as the road reserve is legally 60 metres wide, as per the Registry Index Maps (RIM) Ndumberi/Riabai/Sheet 12 and Sheet 9, and as aligned with the original 1915 survey.**

ii) On the prayer that the National Assembly inquires an equitable and transparent compensation for any compulsory acquisition of land that is carried out through a meaningful public participation and legal due process; **the Committee notes that from the foregoing, there was no compulsorily acquired land and hence no compensation for land due. The Committee however recommends that the**

Ministry of Lands through a re-survey, investigates the circumstances under which residents claim they hold valid title deeds issued by the state, which include the disputed 20 metres, within ninety (90) days of tabling of this report. Should the title deeds be found to have been issued by the state, regardless of the irregularity, then any development put up by the residents on the 20 metres disputed portion be duly compensated, and title deeds subsequently regularized to exclude the 20 metres.

iii) On the prayer for the recognition and protection of the valid certificates of title holders particularly where road reserves and riparian land overlap with special attention to Ndumberi/Riabai parcels 14,125 and 337; **the Committee reiterates its recommendation in prayer no. (ii) above.**

iv) On the prayer that the Public Petitions Committee ensures that any land irregularly taken from the community is restored, and that unlawful boundary markers are removed; **the Committee recommends that any land outside the gazetted acreage, resulting from the re-survey, be reverted to the community.**

c) Public Petition No. 04 of 2024 regarding the proliferation of LGBTQ persons in Kenya by Hon. Mohamed Ali, MP.

The Committee considered and adopted the Draft Report unanimously having been proposed by the Hon. Janet Jepkemboi Sitienei, CBS, M.P, and seconded by the Hon. (Eng.) Bernard Nebart Muriuki, M.P as follows

i) On the prayer that that the Committee intervenes with a view to have the Ministry of Interior and National Administration strictly enforce the provisions of the Penal Code Act, CAP 63 particularly sections 162, 163 and 165 that prohibit homosexuality in the Country; **the Committee grant the prayer as the cited provisions the provisions of the Penal Code Act, CAP 63 particularly sections 162, 163 and 165;**

ii) On the prayer that the committee investigates into the possibility of approved curriculum or content by the Ministry of Education, through the Kenya Institute of Curriculum Development as regards to LGBTQ in the Country; **the Committee notes that Human Sexuality Education within the Competency Based Curriculum is structured not merely as sex education, but as a broader developmental framework that supports learners in understanding, accepting and appreciating their sexual identity. It promotes values such as abstinence, self-respect and protection from risky behaviour, and not LGBTQ content**.

The Committee recommends that the Ministry of Education through the Kenya Institute of Curriculum Development ensures all educational curricula uphold Article 45(2) of the Constitution.

iii) On the prayer that the committee recommends consideration and fast-tracking of the Family Protection Bill, 2023 into law; **the Committee notes that this was the preserve of the House Business Committee and the sponsor of the legislative proposal**.

d) Public Petition No. 04 of 2025 regarding unfair labour practices by Sukari Industries Limited in Homa Bay County by Hon. Martins Owino, MP.

The Committee considered and adopted the Draft Report unanimously having been proposed by the Hon. Janet Jepkemboi Sitienei, CBS, M.P, and seconded by the Hon. Maisori Marwa Kitayama, M.P as follows –

Pursuant to the provisions of Standing Order 227, the Committee recommends that –

i) On the prayer that the National Assembly inquires into the alleged discrimination, unfavourable working conditions and unfair treatment of both outsourced and directly employed workers, whether local or foreign; **the Committee reprimands the Cabinet Secretary, Ministry of Labour and Social Protection and recommends that the ministry immediately issues notice to Sukari Industries Limited to comply with Article 41 of the Constitution and all prevailing labour laws, failure to which the factory be shut down for non-compliance. From the foregoing, a report be submitted to the National Assembly within ninety (90) days of tabling of this Report.**

ii) On the prayer that the National Assembly recommends that Sukari Industries Limited allows its workers, including those hired through outsourcing firms, to join or form labour unions to safeguard their rights, particularly their right to fair remuneration and reasonable working conditions, as guaranteed under Article 41 of the Constitution; **the Committee reiterates its recommendation in prayer (i) above.**

MIN./PPC/2026/281: ADJOURNMENT AND DATE OF THE NEXT MEETING

There being no other business, the meeting was adjourned at 4:30 p.m.

Sign: ..... **Date** 25/09/2026

HON. MUCHANGI KAREMBA, CBS, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

MINUTES OF THE 13TH SITTING OF THE PUBLIC PETITIONS COMMITTEE HELD ON WEDNESDAY, 11TH MARCH, 2026 IN COMMITTEE ROOM ON THE 5TH FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 11.30 A.M.

PRESENT

1. Hon. Eric Muchangi Karemba, CBS M.P. - **Chairperson**
2. Hon. Janet Jepkemboi Sitienei, CBS, M.P. - **Vice-Chairperson**
3. Hon. Beatrice Kadeveresia Elachi, CBS, M.P.
4. Hon. Suzanne Ndunge Kiamba, M.P.
5. Hon. Joshua Chepyegon Kandie, M.P.
6. Hon. Edith Vethi Nyenze, M.P.
7. Hon. (Eng.) Bernard Nebart Muriuki, M.P.
8. Hon. Peter Irungu Kihungi, M.P.
9. Hon. Paul Biego Kibichiy, M.P
10. Hon. Peter Mbogho Shake, M.P.

APOLOGIES

1. Hon. Patrick Makau King'ola, M.P.
2. Hon. Patrick Ntwiga Munene, CBS, M.P.
3. Hon. John Bwire Okano, M.P.
4. Hon. Maisori Marwa Kitayama, M.P.
5. Hon. Sloya Clement Logova, M.P.

IN-ATTENDANCE

NATIONAL ASSEMBLY

Hon. Martin Owino, MP – Member for Ndhiwa Constituency

SECRETARIAT

1. Mr. Victor Weke - Principal Clerk Assistant II
2. Ms. Miriam Modo - Clerk Assistant I
3. Mr. Bernard Toroitich - Clerk Assistant III
4. Ms. Kafuyai Wamae - Clerk Assistant III
5. Mr. Clinton Sindiga - Legal Counsel II
6. Mr. Arkan Mumin - Research Officer III
7. Mr. Nancy Akinyi - Research Officer III
8. Mr. Collins Mahamba - Audio Officer
9. Mr. Calvin Karungo - Media Relations Officer III
10. Mr. Valerian Pascal - Hansard Officer
11. Mr. Paul Shana - Serjeant at arms

MINISTRY OF LABOUR

1. Dr. Alfred N. Mutua, EGH - Cabinet Secretary, Ministry of Labour & Social Protection
2. Mr. Gerald Omoke - Parliamentary Liaison officer Ministry of Labour
3. Mr. Albert Sakwa - SLO Ministry of Labour
4. Mr. Richard Litiba - ALC, Ministry of Labour
5. Mr. Patrick Mbithi - P.A. Cabinet Secretary Ministry of Labour

PETITIONERS

1. Mr. Albert Ireri Mbarire
2. Mr. Joseph Kariuki Njeru
3. Mr. Obadiah Juma Njamburi
4. Mr. Mathew Rukungu

MIN./PPC/2026/066: PRELIMINARIES

The Chairperson called the meeting to order at 11:40 am and said a word of prayer.

MIN./PPC/2026/067: ADOPTION OF AGENDA

The proposed agenda was adopted having been proposed by Edith Vethi Nyenze, M.P and seconded by, Hon. Peter Irungu Kihungi, M.P

AGENDA

1. Prayer and Preliminaries
2. Adoption of the Agenda
3. Confirmation of previous Minutes
4. Matters Arising;
5. **Meeting with the Cabinet Secretary, Ministry of Labour and Social Protection on Public Petition by Hon. Martin Owino, MP, regarding unfair labour practices by Sukari Industries Limited in Homa Bay County.**
6. Any Other Business
7. Adjournment and date for the next Sitting

MIN./PPC/2026/068: CONFIRMATION OF MINUTES

This agenda item was deferred to the next sitting.

MIN./PPC/2026/069: MEETING WITH THE CABINET SECRETARY, MINISTRY OF LABOUR AND LABOUR PROTECTION ON PUBLIC PETITION BY HON. MARTIN OWINO, MP, REGARDING UNFAIR LABOUR PRACTICES BY SUKARI INDUSTRIES LIMITED IN HOMA BAY COUNTY.

The Cabinet Secretary, Ministry of Labour and Social Protection, Dr. Alfred N. Mutua, EGH, appeared before the Committee and submitted as follows: -

a) Sukari Industries Limited is a sugar processing company owned by the Rai Group of Companies. It is located at Riat in Ndhiwa Subcounty, Ndhiwa municipality, Homa Bay County. The company employs a total of 1,793 workers: 122 are directly employed by Sukari Industries, while 1,671 have been outsourced through three labour supply firms contracted by the company.
    i. Consolidated Human Resource Services. This company has supplied Sukari Industries Limited with a total of 496 employees.

ii. Platinum Outsourcing which has supplied a total of 848 employees to Sukari Industries Limited.
iii. Volt Management Services which have supplied a total of 327 Employees.

b) The CS informed the Committee that on 8th February 2024, employees working at Sukari Industries Limited went on strike citing discrimination, unfair labour practices and unfavourable working conditions. On 11th February 2024, management convened a stakeholder meeting to resolve the strike. The meeting was attended by the County Labour Officer, the Assistant County Commissioner, the Area Police Commander, representatives from the Outsourcing Companies and members of the Workers' Committee.

c) Further the Committee was informed of the resolution of a Return-To-Work Agreement that management would resolve the issues that had been raised within two weeks. Employees resumed work on 12th February 2024. On 26th February 2024, management met with members of the Workers Committee and came up with resolutions to address the concerns raised during the strike. The resolutions were to be implemented immediately.

d) On the alleged discrimination, unfavourable working conditions and unfair treatment of both outsourced and directly employed workers, whether foreign or local, the Cabinet Secretary informed the committee that upon receipt of the petition, the Ministry, through the County Labour Officer and the County Occupational Health and Safety Officer in Homabay, conducted investigations into the allegations of discrimination, unfavourable working conditions and unfair treatment at the company.

e) He noted that the implementation of the resolutions made to address the grievances raised by the employees during their industrial action in 2024 had led to elimination of all forms of discrimination that had been witnessed prior to the strike. He further noted that most employees are issued with PPEs, especially those working in the main factory. However, some employees at the weighbridge stations and even the main factory lacked PPEs yet others were worn out.

f) The Ministry confirmed that Sukari Industries Limited and all the three outsourcing firms have insurance cover for their employees in cases of accidents. Additionally, it was noted that there are ambulances stationed at the main factory in case of emergencies, but the weighbridge stations do not have standby ambulances and rely on those at the main factory. He confirmed to the Committee that Sukari Industries Limited and the three outsourcing firms do deduct and remit NSSF dues as required by law.

g) In response to the recommendation that Sukari Industries Limited allow its workers, including those hired through outsourcing firms, to join or form labour unions to safeguard their rights, particularly their rights to fair remuneration and reasonable working conditions, as guaranteed under Article 41 of the Constitution, the Cabinet Secretary responded that the right of workers to join or form trade unions is a fundamental labour right guaranteed under Article 41 of the Constitution of Kenya (2010), which provides for fair labour practices, including the right to fair remuneration, reasonable working conditions, and freedom of association. These rights are further

operationalized under the Labour Relations Act 2007, which protects employees from discrimination or victimization on account of union membership or participation in union activities.

h) Therefore, employers are required to respect and uphold these rights for all workers, including those engaged through outsourcing or third-party employment arrangements. Consequently, Sukari Industries Limited and all the contracted outsourcing companies, like all employers operating in Kenya, are obligated to comply with these legal provisions and must not obstruct employees from joining or forming trade unions of their choice.

i) The Ministry also informed the Committee that all the outsourcing companies had allowed their employees to join labour unions. This was evidenced by the deposit slips for deducted union dues for various months that were presented to us.

j) The Cabinet Secretary further stated that the Ministry of Labour and Social Protection is mandated with, among others, ensuring that work establishments are compliant with labour laws. During the investigations, the County Labour Officer and the County Occupational Health and Safety Officer reviewed employment records, interviewed workers and management, and assessed workplace conditions. In instances where the officers identified gaps relating to compliance with labour standards, management was issued with advisories and directives requiring corrective action within specified timelines. Additionally, the Ministry shall continue facilitating dialogue between the management, workers and their representatives, including trade unions where applicable, to promote industrial harmony and address any grievances raised in the future through established dispute resolution mechanisms.

k) The Ministry shall also, through its officers in the County, institute periodic monitoring visits to ensure sustained compliance and implementation of corrective measures agreed upon during the investigation process and development of guidelines for labour outsourcing and other non-standard forms of employment to ensure protection of workers' rights while also allowing flexibility in the labour market.

l) The Cabinet Secretary informed the Committee that the Ministry will dispatch a team to Sukari Industries Limited to obtain a status update and submit a report within one month.

Committee Concerns and Observations

a) The Committee expressed concern regarding the agreement between the employer and employees referenced by the Ministry from the meeting held on 26th February, 2024, and sought clarification on whether any evidence existed of implementation of the agreed resolutions.

b) The Committee further noted from the Cabinet Secretary's submission that the Office of the Director of Public Prosecutions has assumed all prosecution powers, with the result that the Ministry lacks authority to prosecute or shut down companies for non-compliance with labour laws. The Cabinet Secretary nevertheless informed the Committee that the Office of the Attorney General is developing a framework to enable Ministry officials to undertake prosecutions.

Committee Resolution

The Committee directed that the Ministry furnishes the Committee with current status of implementation on issues agreed between the employer and the employees before it finalizes its report.

MIN./PPC/2026/070: MEETING WITH PETITIONERS ON PUBLIC PETITION REGARDING COMPENSATION OF RESIDENTS AFFECTED BY THE CONSTRUCTION OF THE EMBU RING/ CONNECTOR ROAD PROJECT IN EMBU COUNTY.

The Petitioners appeared before the Committee and submitted as follows: -

1. The Government of Kenya, through the Kenya National Highways Authority (KeNHA) and the National Land Commission (NLC), compulsorily acquired private land pursuant to **Article 40(3)** of the Constitution and the **Land Act, 2012** for the construction of the 63-kilometre Embu Ring/Connector Road.

2. The 63-kilometre Embu Ring/Connector Road is formally listed in national project trackers as the *Embu Hospital - Kathangariri - Kianjokoma - Kanja - Runyenjes - Siakago Road.*

3. In the course of implementing the project, numerous households, farms and business premises along the project corridor have been affected, resulting in economic hardship, disruption of livelihoods, and displacement of families.

4. The Committee was informed that on 23rd February 2024, a Gazette Notice was issued confirming the compulsory acquisition and listing of all affected parcels of land for the purposes of compensation.

5. The petitioner avers that the Gazette Notice thereby created a legitimate, lawful expectation that compensation would be promptly, adequately and timely paid as required under the Constitution and the Land Act.

6. Further the Committee was informed that despite the continued construction and advancement of works on the project, many Project-Affected Persons (PAPs) remain uncompensated to date.

7. The lack of compensation has resulted to loss of homes, agricultural land and livelihood sources; inability to relocate or rebuild due to lack of funds; chronic financial distress, including the inability to service loans tied to the affected properties; emotional and psychological stress among affected families; and disruption of community stability and economic activity along the corridor.

8. The petitioner informed the committee that repeated follow-ups with KeNHA, NLC and local administrative offices have not yielded clear timelines, reasons for delays, or definitive action, leaving residents frustrated and without a remedy.

9. Finally continued delay in compensation violates constitutional rights to property, fair administrative action and as provided for in Article 47, and social and economic rights as provided for in Article 43.

Committee Concerns and Observations

i. The Committee sought for an explanation regarding the prolonged delays in compensating Project Affected Persons (PAPs). In response, petitioners revealed that the land was originally valued at Ksh. 1.5 million per acre during initial project planning approximately ten years ago, whereas the current market value has risen to roughly Ksh. 6 million per acre. Members voiced serious concerns that relying on the outdated valuation would result in severely inadequate compensation for affected landowners.

ii. The Committee was further informed that despite the antiquated initial valuation, subsequent inspections had been conducted and valuation reports together with compensation schedules were duly prepared for all affected parcels. However, actual disbursement of compensation remains pending.

iii. Members learned that the Kenya Rural Roads Authority (KeRRA) bears responsibility for funding the compensation. The Committee identified a possible disconnect in communication or fund flow between the implementing agencies Kenya National Highways Authority (KeNHA) and the National Land Commission (NLC) and the funding body (KeRRA).

iv. The delay in compensating PAPs following compulsory land acquisition for the Embu Hospital-Kathangariri-Kianjokoma-Kanja-Runyenjes-Siakago Road (Embu Ring Road) emerged as a matter of grave concern.

Committee Resolution

The Committee resolved to invite –

a) The Principal Secretary, State Department for Transport; and
b) The Director General of the Kenya Rural Roads Authority (KeRRA).

MIN./PPC/2026/071: ANY OTHER BUSINESS

There was no other business.

MIN./PPC/2026/072: ADJOURNMENT AND DATE OF NEXT MEETING

The meeting was adjourned at 3:00 p.m. The next meeting will be held on Wednesday, 11th March, 2026 at the same venue.

Sign:..... **Date** 01/04/2026

HON. MUCHANGI KAREMBA, CBS, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

Thirteenth Parliament Fourth Session

REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

MINUTES OF THE 21ST SITTING OF THE PUBLIC PETITIONS COMMITTEE HELD ON TUESDAY, 10TH JUNE, 2025, IN COMMITTEE ROOM 11, SECOND FLOOR, BUNGE TOWER, PARLIAMENT BUILDINGS AT 11.00 AM

PRESENT

1.	Hon. Edith Vethi Nyenze, M.P.	Member
2.	Hon. Patrick Makau King'ola, M.P.	Member
3.	Hon. (Eng.) Bernard Nebart Muriuki, M.P.	Member
4.	Hon. Joshua Chepyegon Kandie, M.P.	Member
5.	Hon. Peter Irungu Kihungi, M.P.	Member

APOLOGIES

1.	Hon. Ernest Ogesi Kivai, M.P.	Chairperson
2.	Hon. Janet Jepkemboi Sitienei, CBS, M.P.	Vice-Chairperson
3.	Hon. Nimrod Mbithuka Mbai, M.P.	Member
4.	Hon. Maisori Marwa Kitayama, M.P.	Member
5.	Hon. Bidu Mohamed Tubi, M.P.	Member
6.	Hon. Beatrice Kadeveresia Elachi, CBS, M.P.	Member
7.	Hon. John Bwire Okano, M.P.	Member
8.	Hon. Peter Mbogho Shake, M.P.	Member
9.	Hon. Suzanne Ndunge Kiamba, M.P.	Member
10.	Hon. Sloya Clement Logova, M.P.	Member

SECRETARIAT

1.	Mr. Ahmed Kadhi	Principal Clerk Assistant II
2.	Ms. Miriam Modo	Clerk Assistant I
3.	Ms. Anne Shibuko	Clerk Assistant I
4.	Ms. Patricia Gichane	Legal Counsel II
5.	Ms. Nancy Akinyi	Research Officer III
6.	Mr. Paul Shana	Serjeant at arms
7.	Mr. Peter Mutethia	Audio Officer
8.	Daniel Sirimoi	Media Relations Officer

KUPPET MACHAKOS BRANCH

1.	Hon. Vincent Musau, M.P	Member for Mwala Constituency
2.	Musembi Katuku	Executive Secretary
3.	Martin Mutisya	Deputy Executive Secretary

4. Kilonzo Wambua — Treasurer
5. Doris Mang'ea — Vice Treasurer
6. Ibrahim Ngunga — Member
7. Yvonne Musyoka — Vice Chairperson
8. Musyoki Joseph — Member, Mwala subcounty
9. Meshack Nzaku — Member, MWala subcounty

MIN./PPETC/2025/110: PRELIMINARIES

The Chairperson called the meeting to order at 11:00 am. and proceedings began with prayers by Hon. Edith Vethi Nyenze, M.P.

MIN./PPETC/2025/111: ADOPTION OF AGENDA

AGENDA

1. Prayer
2. Adoption of the Agenda
3. Confirmation of minutes of previous sittings
4. Matters Arising
5. **Consideration of Public Petition No. 04 of 2025 on unfair labour practices by Sukari Industries Limited in Homa Bay County**
   - Meeting with Petitioner (Hon. Martin Owino, MP)
6. **Consideration of P/No. 15 of 2024 on Gazettement of Mwala and Kalama Sub-Counties of Machakos County as hardship areas**
   - Meeting with Petitioner (Hon. Vincent Musyoka, MP)
7. **Consideration of Public Petition No. 78 of 2023 regarding Ineligible Incurred but not Reported (IBNR) Claims of Over Kenya Shillings 21 billion, captured in the Financial Year Ending 30th June 2022**
   - Meeting with the CS, Ministry of Health
8. Any Other Business
9. Adjournment

MIN./PPETC/2025/112: CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS

The Agenda was deferred.

MIN./PPETC/2025/113: CONSIDERATION OF PUBLIC PETITION NO. 04 OF 2025 REGARDING UNFAIR LABOUR PRACTICES BY SUKARI INDUSTRIES LIMITED IN HOMA BAY COUNTY

Meeting with Petitioner

The Member for Ndhiwa Constituency, Hon. Martin Owino, M.P. appeared before the Committee and submitted as follows—

1. On 8th February 2024, workers at Sukari Industries Limited in Ndhiwa Constituency staged a protest against discrimination, unfair labour practices, and unfavourable working conditions imposed by their employer, which violate Article 27 of the Constitution.

2. While some of the workers are directly employed by the company, a majority of them are engaged through outsourced firms. This has resulted in significant disparities in employment terms, benefits, compensation, and other entitlements.

3. There is alleged discrimination between foreign and local workers, including differences in pay for equal work, separate meetings for the different groups, unfair allocation of field and airtime allowances, and the withdrawal of salary advances, overtime, and lunch allowances.

4. The workers employed through outsourcing firms are not provided with personal protective equipment (PPEs) and lack any policy for compensation in case of work-related injuries or fatalities. Additionally, ambulance services are unreliable and often unavailable during emergencies.

5. The company's management is largely unapproachable, particularly to local workers, and often terminates their employment arbitrarily without due process. Furthermore, workers are prohibited from joining or forming labour unions.

6. Tractor drivers do not have formal contracts with the company, and their salaries and other payments are made through mobile money transfers instead of structured payroll systems.

7. Since October 2023, contractual workers' contributions to the National Social Security Fund (NSSF) have been halted, and service gratuity is not provided.

8. Efforts to address these concerns through dialogue and engagement have been unsuccessful.

9. The petitioners pray that the National Assembly, through the Public Petitions Committee—

    a. Inquiries into the alleged discrimination, unfavourable working conditions and unfair treatment of both outsourced and directly employed workers, whether local or foreign.

    b. Recommends that Sukari Industries Limited allow its workers, including those hired through outsourcing firms, to join or form labour unions to safeguard their rights, particularly their right to fair remuneration and reasonable working conditions, as guaranteed under Article 41 of the Constitution.

    c. Makes any other recommendation(s) that it may deem appropriate to address the grievances of the Petitioners.

Committee Concerns

a) **Regarding halting of contributions of contractual workers to the National Social Security Fund (NSSF),** the Petitioner explained that the deductions made by Sukari Industries Ltd were not remitted to NSSF.

b) **On whether gratuity has not been provided because of possible variation of contract midway,** the Petitioner explained that he was not privy to the contract details and therefore urged the Committee to interrogate the Company on the same.

c) **On the nature of work done by the contracted staff and outsourced staff,** the Petitioner explained that there was no definite structure to determine the nature of services offered by either category. There was no clear demarcation on which services were outsourced and which were core as workers from both outsourced and contracted sections did same activities.

d) **On whether the signatures were from employees of the company or outsourced staff,** the Petitioner explained that he was not sure. The Committee noted that if some of the signatures were from outsourced staff, they would not be valid as Sukari Industries was not their employer.

e) **On who the parties to the dialogue referred to in the petition were,** the Petitioner was unsure whether it was the outsourced companies or the contractual staff with Sukari Industries.

f) **On whether the petitioners engaged the Labour Office,** the Petitioner responded that they had informally engaged the Labour office in Homa Bay, hence there was no official record of the discussions.

Committee Resolution

Upon listening to the petitioner, the Committee guided as follows–

a) There was need for the petitioner to separate the signatures submitted into signatures by Sukari Industries and those by outsourced staff so as to have a *bona fide* list of petitioners.

b) The Committee needed to engage–

(i) Sukari Industries to provide contracts between them and outsourced company, sample payslips to prove deduction of NSSF;

(ii) The Labour Office in Homabay; and

(iii) Conduct a fact-finding visit in regard to the matters raised in the petition.

MIN./PPETC/2025/114: CONSIDERATION OF PUBLIC PETITION NO. 15 OF 2024 REGARDING GAZETTEMENT OF MWALA AND KALAMA SUB-COUNTIES OF MACHAKOS COUNTY AS HARDSHIP AREAS

Meeting with Petitioner

The Member for Mwala Constituency, Hon. Vincent Musyoka, M.P. appeared before the Committee and submitted as follows -

1. KUPPET is a registered union with a mandate of representing teachers in negotiating for fair solutions to members' grievances through lawful activities, affiliations and research in labour practices.

2. Mwala Sub-County is geographically located in the midst of Yatta, Kitui Rural and Mbooni East, all of which are hardship zones, but only Mwala has not been categorised as a hardship zone despite a recommendation made by the Sub-County Director of the Teachers Service Commission (TSC).

3. Kalama Sub-County, which lies between Mbooni West and Kilungu that are categorised as hardship areas, is not placed in the same category yet it has similar climatic conditions, and that while teachers in 33 public secondary schools located in the former Kola and Muumandu zones are entitled to hardship allowance, nine schools have been left out.

4. The plight of teachers within Mwala and Kalama sub-counties is worsened by water shortage due to reliance on limited rain-harvested water, which they supplement through purchase of unclean water scooped from the seasonal Thwake River; poor transport network due to bad roads in Matulani, Miseleni, Mutula, Kasengela and Kwamwonga areas, resulting in high transport charges by public vehicles necessitated by increased frequency of maintenance of vehicles; harsh climatic conditions, leading to famine; limited telephone network and internet connectivity, hampering access to critical services; and limited access to medical care and other social amenities.

5. Consequently, there is inadequate teacher staffing as teachers posted to the two sub-counties constantly apply for transfers. Statistics available indicate that 40 principals, 95 head teachers and 512 teachers sought transfer from the area between January 2023 and March 2024, and that as of August 2024, nine secondary schools have no principals while 11 have no deputy head teachers, which is a worrying trend.

6. Efforts to address the matter directly through TSC have not been fruitful.

7. The petitioners pray that the National Assembly, through the Public Petitions Committee—
   a) Engages the TSC to gazette Mwala and Kalama sub-counties as hardship areas in order to improve educational standards through the provision of adequate teachers in the area; and,

   b) Makes any other recommendation it deems fit.

Committee Resolution

Upon listening to the petitioners, the Committee resolved to engage—

(i) The Teachers Service Commission (TSC);
(ii) Salaries and Remuneration Commission;
(iii) Ministry of Education; and
(iv) The Ministry of Public Service, Human Capital Development & Special Programmes.

MIN./PPETC/2025/115: **CONSIDERATION OF PUBLIC PETITION NO. 78 OF 2023 REGARDING INELIGIBLE INCURRED BUT NOT REPORTED (IBNR) CLAIMS OF OVER KENYA SHILLINGS 21 BILLION, CAPTURED IN THE FINANCIAL YEAR**

The agenda was deferred.

MIN./PPETC/2025/116: **ADJOURNMENT AND DATE OF NEXT MEETING**

The Chairperson adjourned the meeting at 01:00 p.m. The date of the next meeting will be Wednesday 11th June, 2025 at 12.00 noon.

Sign: .....
(CHAIRPERSON)

Date.....19-06-2025.....

MINISTRY OF LABOUR AND SOCIAL PROTECTION

OFFICE OF THE CABINET SECRETARY

RESPONSE TO A PUBLIC PETITION BY HON. MARTIN PETERS OWINO, MEMBER OF PARLIAMENT FOR NDIWA CONSTITUENCY, REGARDING UNFAIR LABOUR PRACTICES BY SUKARI INDUSTRIES LIMITED IN HOMABAY COUNTY

MARCH 2026

BACKGROUND

Sukari Industries Limited is a company involved in the processing of sugar from sugarcane. It is a company owned by Rai Group of Companies and is located at Riat in Ndiwa Subcounty, Ndiwa municipality, Homabay County. There is a total of 1,793 employees offering labour to the company. Out of these employees, 122 are employed by the company directly while 1,671 employees have been outsourced by three companies who have contracts with Sukari Industries Limited for the supply of labour. The companies that have been contracted by the company are:

1. Consolidated Human Resource Services. This company has supplied Sukari Industries Limited with a total of 496 employees.

2. Platinum Outsourcing which has supplied a total of 848 employees to Sukari Industries Limited.

3. Volt Management Services which has supplied a total of 327 Employees.

On 8th February 2024, employees working at Sukari Industries Limited went on strike citing discrimination, unfair labour practices and unfavourable working conditions. On 11th February 2024, management convened a stakeholder meeting to resolve the strike. The meeting was attended by the County Labour Officer, the Assistant County Commissioner, the Area Police Commander, representatives from the Outsourcing Companies and members of the Workers' Committee.

It was resolved through a Return-To-Work Agreement **(Appendix 1)** that management would resolve the issues that had been raised within two weeks. Employees resumed work on 12th February 2024.

On 26th February 2024, management met with members of the Workers Committee and came up with resolutions to address the concerns raised during the strike. The resolutions were to be implemented immediately.

QUESTION I

Inquiries into alleged discrimination, unfavourable working conditions and unfair treatment of both outsourced and directly employed workers, whether foreign or local.

RESPONSE

Upon receipt of the petition, the Ministry, through the County Labour Officer and the County Occupational Health and Safety Officer in Homabay, conducted investigations into the allegations of discrimination, unfavourable working conditions and unfair treatment at the company. It was noted that the implementation of the resolutions made to address the grievances raised by the employees during their industrial action in 2024 had led to elimination of all forms of discrimination that had been witnessed prior to the strike.

It was also noted that most employees are issued with PPEs, especially those working in the main factory **(Appendix 2a, b, c)**. However, some employees at the weighbridge stations and even the main factory lacked PPEs yet other were worn out.

It was also confirmed that Sukari Industries Limited and all the three outsourcing firms have Insurance cover for their employees in cases of accidents **(Appendix 3a, b, c, d)**. Additionally, it was noted that there are ambulances stationed at the main factory in case of emergencies, but the weighbridge stations do not have standby ambulances and rely on those at the main factory.

It was also confirmed that Sukari Industries Limited and the three outsourcing firms do deduct and remit NSSF dues as required by law **(Appendix 4a, b,c,d)**.

QUESTION II

Recommend that Sukari Industries Limited allow its workers, including those hired through outsourcing firms, to join or form labour unions to safeguard their rights, particularly their rights to fair remuneration and reasonable working conditions, as guaranteed under Article 41 of the Constitution.

RESPONSE

The right of workers to join or form trade unions is a fundamental labour right guaranteed under Article 41 of the Constitution of Kenya (2010), which provides for fair labour practices, including the right to fair remuneration, reasonable working conditions, and freedom of association. These rights are further operationalized under the Labour

Relations Act 2007, which protects employees from discrimination or victimization on account of union membership or participation in union activities.

In this regard, employers are required to respect and uphold these rights for all workers, including those engaged through outsourcing or third-party employment arrangements. Consequently, Sukari Industries Limited and all the contracted Outsourcing companies, like all employers operating in Kenya, are obligated to comply with these legal provisions and must not obstruct employees from joining or forming trade unions of their choice. During the investigations, it was confirmed that all the outsourcing companies have allowed their employees to join labour unions. This is evidenced by the deposit slips for deducted union dues for various months that was presented to us **(Appendix 5a, b, c)**.

QUESTION III

Make any other recommendations that it may deem appropriate to address the grievances of the Petitioners.

RESPONSE

The Ministry of Labour and Social Protection is mandated with, among others, ensuring that work establishments are compliant with Labour laws. During the investigations, the County Labour Officer and the County Occupational Health and Safety Officer reviewed employment records, interviewed workers and management, and assessed workplace conditions. In instances where the officers identified gaps relating to compliance with labour standards, management was issued with advisories and directives requiring corrective action within specified timelines **(Appendix 6a, b)**.

The Ministry shall continue facilitating dialogue between the management, workers and their representatives, including trade unions where applicable, to promote industrial harmony and address any grievances raised in the future through established dispute resolution mechanisms.

The Ministry shall, through its officers in the County, institute periodic monitoring visits to ensure sustained compliance and implementation of corrective measures agreed upon during the investigation process.

The Ministry is also in the process of developing Guidelines for Labour Outsourcing and other non-standard forms of employment to ensure protection of workers' rights while also allowing flexibility in the labour market.

CONCLUSION

The Ministry remains committed to ensuring that all workers in Kenya are accorded fair labour practices, safe working conditions, and protection of their statutory rights.

SIGNATURE ..... **DATE**...10th/03/2026.....

Dr. Alfred N. Mutua, EGH
CABINET SECRETARY

SUKARI INDUSTRIES LTD

EMPLOYEE GRIEVANCES RESOLUTION MEETING HELD ON 26.02.2024 AT THE SENIOR GUEST HOUSE BOARDROOM FROM 9.30AM

SUKARI INDUSTRIES LTD
PLOT No. 1511/1512,
P.O. BOX 237-40302 NDHIWA,
HOMA BAY COUNTY, KENYA.

IN ATTENDANCE:

Workers Committee Representatives:

1.	Peter Omiyo	Committee member
2.	Ploycarp Alego	Committee member
3.	Stephen Obanda	Committee Member
4.	Josphine Aori	Committee member
5.	Josephine Ariyo	Committee member
6.	Elizabeth Orwe	Committee member
7.	Philo Ongoro	Committee member
8.	Bonphase Gor	Committee chair
9.	Joseph Sikolia	Committee Member-Tractor
10.	Aloiec Kambaya	Committee member – Tracks
11.	Geoffrey Anyanga	Committee member
12.	Mercy Abonyo	Committee member
13.	Ezekiel Abanga	Committee member
14.	Tom Mboya	Committee Member
15.	James Opiyo	Committee member

Employers Representatives:

1.	Collins Aluku	HRM – SIL
2.	Edward Mungatana	Group CHR
3.	Eliud Madioli	Group Logistics manager
4.	David Wekesa	Dep Transport Manager
5.	Kennedy Odhiambo	CHRS
6.	Thomas Juma	HR Volt
7.	John Oketh	HR Fast Track
8.	Victor Simiyu	Fast Track
9.	Edwin Maiyo	Regional manager Fast Track
10.	Paul Ochieng	HR Fast Track
11.	V P Tyagi	General Manager

PREAMBLE:

Following the return-to-work formula signed between employees and employers (Fast Track Management, Volt and Consolidated HR solutions) at Sukari Industries on 11th Feb 2024 and the subsequent meetings held between the parties since then.

A final meeting was held between the parties was held on 26th Feb 2024 to agree the way forward.

AGENDA:

- To review employee grievances (Schedule 1) and agree on the way forward

SUKARI INDUSTRIES LTD

MIN 1 – GRIEVANCES:

Parties agreed that the best way to handle the grievances is to categorize them into 3 groups: -

- Salaries and wages (Edward Mungatana/Collins Aluku)
- Health and safety (David Maganga)
- Employee welfare (Collins Aluku)

Each category was assigned a Senior Manager to champion its resolution.

MIN 2 - SALARIES AND WAGES:

General Workers

- These will be revised to the new rates as per attached Schedule 2.
- The new rates will come into effect from 1st March 2024

Tractor Drivers

- Tractor drivers' tonnage rate has been reviewed to kshs 39 per ton effective 1st March 2024.
- Details of agreement on Tractor Workers attached as per Schedule 3.

MIN 3 - HEALTH AND SAFETY:

- Subcommittee of the workers committee under the chairmanship of EHS Manager was formed to address the issues raised with a view to closure by the end April of 2024.
- Emergency exits - DOSH officer's inspection report and final recommendations are being a waited for adoption

MIN 4 - EMPLOYEE WELFARE:

Subcommittee of the workers committee under the chairmanship of the HR Manager formed to address the concerns raised with a view to closure by the end of April 2024.

Detail of agreements reached between parties under min 2 – 4 are listed in Schedule 4.

MIN 5 - INDUSTRIAL PEACE:

Parties recognize the fact that industrial peace is crucial to a sustainable working environment.

Parties agree that striking without notice works against the principle of harmonious industrial relations and is injurious to the interests of all stakeholders.

Parties therefore commit to in future follow the laid down process of consultations in order to resolve issues and grievances before they escalate.

MIN 6 - WORKERS COMMITTEE:

Following minute number 5 above, parties agree to strengthen the workers committees as a means to achieving and maintaining industrial peace.

To this effect,

a. Each outsourced company commits to form and maintain a workers committee that will meet at least once a month and minutes of such meeting to be shared with the management of Sukari Industries
b. HR Manager Sukari Industries to meet with employers of outsourced labour providers and officials of the workers committee at least once every month to review common grievances affecting workers.
c. At least once every quarter, GM or his representative to participate in the monthly meeting of the workers committee officials together with the HRM

SUKARI INDUSTRIES LTD
PLOT No. 15
P.O. BOX 23
SUKARI BAY COAST

SU·KARI INDUSTRIES LTD

MIN 7 – A.O.B

New grievances were raised concerning;

- Loaders
- Truck Drivers

Parties agreed that these were not part of the original grievances brought forward and therefore to be raised separately if necessary.

-ends-

SUKARI INDUSTRIES LTD.
PLOT No. 1511/1512,
P.O. BOX 237-40302 NDEIYA,
SIAYA COUNTY, KENYA.

SUKARI INDUSTRIES LTD

SCHEDULE 1: Employee Grievances as received on 11th Feb 2024

Sr.No	Matters arising from Employees
1	Request for salary review due to inflation and elevation of Ndhiwa as municipality
2	Racism and discrimination especially from Auto workshop and top management of Sukari eg. Tea without sugar for Africans, holding separate meetings, airtime allocation
3	Unfair and unprocedural termination of employees
4	Request for staff canteen
5	Salaries to be paid through bank and not MPESA
6	The outsourcing companies issue poor quality PPE
7	Tractor drivers requested for basic salary just like the prime mover drivers
8	Staff bus to be introduced to drop employees' home after work
9	Employees requested to have the Mid- Month salary advance reinstated
10	The employees cited discrimination in the use of ambulance. Expatriates given special attention while local are just dropped and left at the hospital.
11	Indian workers paid high salaries than locals despite having similar skills or even less skills than the local counterparts. Recently expatriates show off their high salaries as compare to the old team
12	Allowance was scrapped for staff going out to the field eg recovery team
13	Failure to remit statutory deductions ie. NSSF , NHIF Helb
14	Staff want to be allowed to join union
15	The GM is accused of being a racist and unapproachable by local employees
16	Employees want to be put directly to Sukari payroll to eliminate the perceived discrimination of pay and other benefits
17	The emergency exits were blocked at the factory hence risking the life of staff in the event of fire
18	Employees retiring without gratuity / service pay

SCHEDULE 2: New Salaries & Wages

Sr. No	Revised Basic
1	10,009
2	10,870
3	11,221
4	13,840
5	16,021
6	16,670
7	19,347
8	22,373
9	22,416
10	25,428
11	32,083

1. Effective Date: 1st March 2024

2. Salary Advance
- To be given on emergency cases only upon written request
- Employers to avoid being unreasonable where there are deserving cases

3. Pay Point
- Employees have the option to choose their payment option, either bank or MPESA
- Employees to inform their employer in reasonable time where changes are required.

4. Lunch Allowance
- Applicable to teams on recovery duty and security where they spend more than 12 hours or more at site.

SCHEDULE 3: Tractor Drivers Grievances

1. Contracts of Employment: All drivers to be issued with contracts of employment by their respective employers.

2. Revised Tonnage Rate: kes 39 per ton

3. Benchmark for Fuel:
- 0-5km : 5 liters flat rate
- Transport Manager to define subsequent radial distances/fuel necessary on behalf of the company

4. Bonus Payments – to remain as per status quo
- Applicable on cumulative cane collected on a given day.
- 10t and above: 250/- per day
- Less than 10t: 150 per day

SCHEDULE 4: Other Items Discussed & Agreed

1. PPE

Employers are is responsible for defining the required PPE and its issuance. The recommendation is as follows:
- Overalls – 2 per annum
- Boots/Gum Boots – 1 pair per annum
- Provision of Helmets where applicable
- Raincoat (where applicable on discussion with EHS manager)
- Company to ensure that they are of appropriate quality
- Company to try and time the issuance of PPE to the early part of any given year
- Employee
- s ae responsible for taking good care of their PPE
- Employers reserve the right to surcharge where employees lose or fail to take proper care of their PPE's

2. **AMBULANCE SERVICES**
- Available for emergencies at the factory in the first instance
- The mobile number for the service to be shared/made available

3. **CANTEEN**
- At the appropriate point/time, the company to undertake the construction of a staff canteen

4. **MOBILE PHONE CREDIT – EQUITY**
- Company to ensure that there is equity in the issuance of airtime; either all or none of the managers/supervisors and eligible persons receives otherwise it creates the impression of bias and discrimination.

5. **HR POLICIES**
- Disciplinary Action: Company to commit to following due process at all times especially when it comes to dismissals and termination of service
- Promotions/Appointments: Company to commit to following a fair process and to issue formal letters at all times to ensure fairness and equity.

-end-

SUKARI INDUSTRIES LTD.
PLOT No. 1511/1512,
P.O. BOX 237-40302 NDHIWA,
HOMA BAY COUNTY, KENYA.

Confirmation of minutes

	Name	Designation	Signature
1.	Edwin K. Mayo	HOD	
2.	Victor Simiyu Kihu	Fast Track	
3	Kenneth Edwards	Chs	
4	Bonphase Ochieng	Commete Chair	
5	Josephine Aoi	Committee secretary	
6	Geoffry Anyanga	Tractor Driver	
7	Collins Aluku	HRM-SIL	
8	Edward Nyakundi	CHRO	
9	V P Tyagi		
10			
11			

12

13

14

15

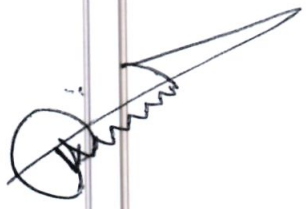
16

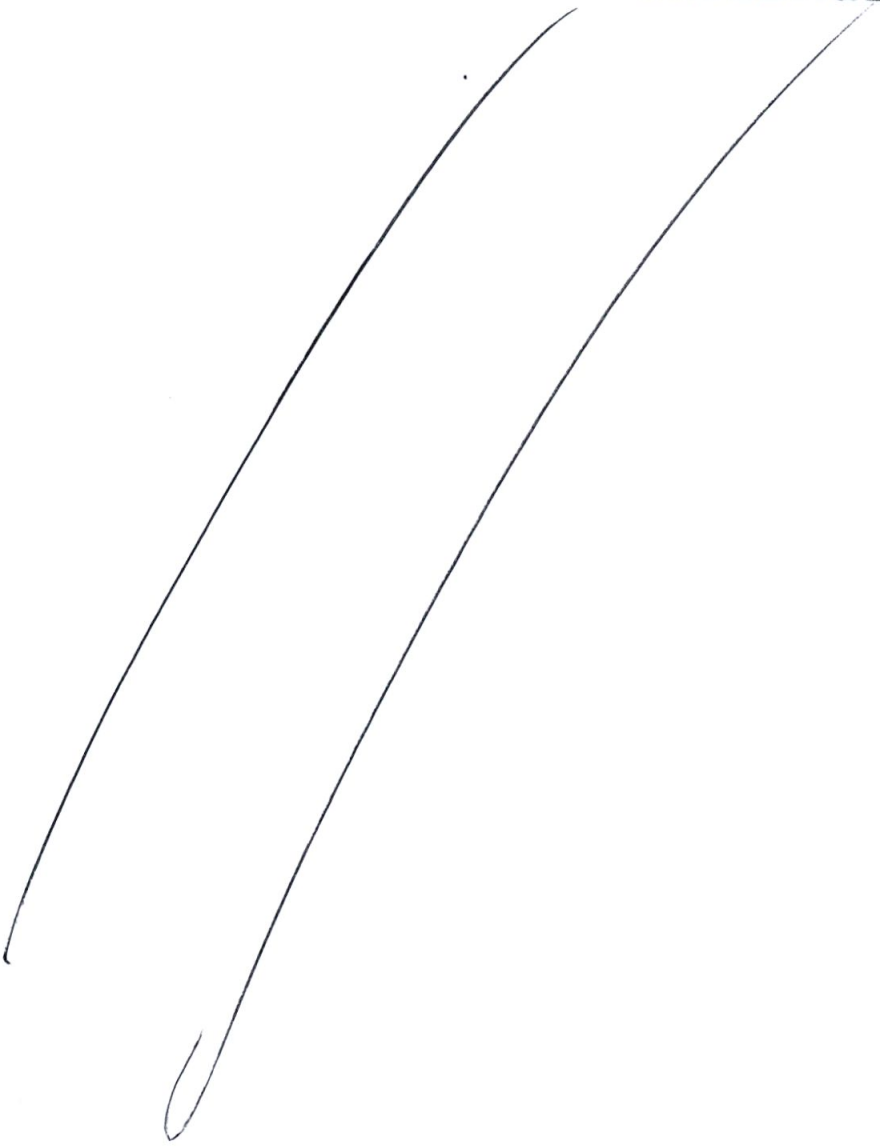
17

18

19

20





SUKARI INDUSTRIES WORKERS MEETING WITH HON. MARTIN OWINO ON 11-2-2024

SN	NAMES	ID NO	CONTACT	SIGN
1	EVANS OBONYO	30585552	0726377271	
2	Onwa Erick	27779861	0759967774	
3	CALVINCE OTIENO	28530261	0716131865	
4	PAUL DAVID	30154520	0725033450	
5	WYCLIFFE O MUDODO	27824220	0718583077	
6	JOSEPH S SIKOLIA	20147079	0703569562	
7	Benard Oluoch	28783757	0743242491	
8	SILAS JUMA	20324665	0756778227	
9	BERARD ONYANGO	26282303	0720967752	
10	Daniel Ochieng	34094511	0746216181	
11	VICTOR OTIENO	25587548	0708560358	
12	MARK JUMA	23185158	0729896276	
13	DAVIS BUYUNI MAKHAKHA	22212713	0795041245	
14	JEREMIA SLUKAMGA	20626910	0718984447	
15	SAMWEL OTIENO	34506730	0745526611	
16	JACOB OMONDI	32728560	0718861968	
17	JAPHETH OWAGA	11089595	0726709323	
18	GEORGE NAFTALI OCHIENG		D70461503?	
19	PAUL Odhiambo	25345181	0708464821	
20	KEPHAS OMONDI OMOLLO	33589548	0718490761	
21	Odhiambo Samuel	31935117	0758308668	
22	MAURICE OCHIENG RAMA	9594155	0713676742	
23	STEVE BICKO	33213743	0703292249	
24	MOSES WANJALA	28707145	0717917123	
25	Alaka Peter Ochieng	24954313	0726594979	
26	POLYCARP OKEZ OKOTH	22461415	0727624371	
27	STEVE SIKEM	25571900	0724861932	
28	OKUMU ERICK ERONDI	24054152	0704185881	
29	Tom Obado	13381962	0723246157	
30	Alex Amadi Juma	29464321	0712813366	

SUKARI INDUSTRIES WORKERS MEETING WITH HON MARTIN ONING ON 11-2-2024 AT RIAT

ATTENDANCE LIST

SN	NAMES	ID NO	CONTACT
1.	Emas O. Awuod	14588228	0704649361
2.	David Nyakila	24324291	0114368662
3.	Charles O. Muga	12600734	0702240385
4	David M Okumu	25062322	0789241575
5.	Oywaya Dickens Otieno	30137918	0115804163
6	Edward Inuya	32224722	0115630247
7	Tobias Angiri	9795479	0724762610
8.	Simon Malanta	13350702	0714003985
9	Tom Aiko	9048453	0724884585
10	Hamad Odera	27765794	0711214575
11	Cavins O Augo	32108965	0712547017
12	Joshua O Otieno	25231542	0715560506
13	Maurice Onyango	3263 4664	0703460197
	Charles Okoth	41147193	0114963488
	Calvince Dache	36227630	0792581258
	Doomon O Adano	29796379	0745331442
	Andrew W Mumyifwa	23403201	0726589082
	Thomas Mangina Okech	27985100	0723735894
	Elphas Ooko	34242829	0740761912
	John Odhiambo	32354207	0705420423
	Stephe Othimbo	27792398	0741765585
	Willis Okoth	30241011	0729452603
	Felix Oduogo	30116108	0730182870
	Victor Othiambo Okoth	30678723	0799407271
	Cruzer O Oduya	28570190	0718 015 726
	Brian Esoo	30244811	0708796231
	Wasonga Nicholas	28722051	0721 [illegible]
	Elias Otieno Liter	20612824	0706 711700
	Alvin Nyawela	31473587	0715680338
	Omondi Calvin	33582198	0759592582
	David Omondi	[illegible]	0732660734

...UKARI FINDUSTRIES ... MEETING WITH
HON. MARTIN ONYANGO ON 11-2-2024 AT RIAT
FROM 10AM

ATTENDANCE LIST

SR	NAMES	ID NO	CONTACT	SIGN
33	Thomas Ayub		0748453491	
34	Phee Wilcot	36C73254	0711246452	
35	VICTOR E ODHIAMBO	13107503	0732094033	
36	Elvince Anyo	23287115	0767216144	
37	ALISON SMITH	30354557	0743870750	
38	Boaz situma nyongesa	37977538	0796829673	
39	George Agutu	27246677	0758934263	
40	david tapuso onyango	KW42266	0725831786	
41	Ronald ogiek	24728762	0728924116	
42	Charles Ogwo	14556123	0725976766	
43	Duncan Sunday	33253402	0706464610	
44	KENNEDY ODHIAMBO	27746602	0700549493	
45	JOHANNES TENGA	11631849	0757557798	
46	MAXWELL ONYANGO	33802920	0740511738	
47	Peter Olola	32425213	0706927701	
48	Kevin Obuya	32433203	0703492345	
49	Stephen Otieno	24024508	0705748334	
50	Samuel Mbugua	11631041	0748000137	
51	Dayid Otieno	37148456	0714841156	
52	Calvince Odell	33200823	0706249454	
53	Harrington Olenja	23353459	0711214623	
54	MARCH ORIGI	44[illegible]93	0715420980	
55	BOSES ASANASA	21242457	0735679411	
56	Samuel Owuor	35245952	0706655946	
57	Calvin Otieno	27863467	0714311721	
58	Brenda Nyaniga	21[illegible]54	0792403960	
59	ERICK SIMIYU	25047348	0719224112	
60	DICKSON Gerald	24765154	0767829414	
61	FREDRICK ALLISIDA	11737572	0717718467	
62	[illegible]	[illegible]	0716446139	

NUNAKI INDUSTRIES FARMERS MEETING WITH HON. MARTIN OWINO ON 11-2-2024 AT KIAT.

ATTENDANCE LIST

SN	NAMES	ID NO	CONTACT	SIGN
1	PHILO ONGORO	27963723	0711539949	
	JOHN OKIRI	42123650	0705948571	
	FRANCE ODHIAMBO	42605258	0792896807	
	STEPHEN OMOLO	27508412	0726895404	
	KEN EKUTA	24691099	0729805886	
	HENRY OKELLO	20230278	0719227849	
	FELIX A. UYOYOYO	11282463	0722458428	
	JOAB O OKELO	30296117	0726513663	
	JACOB OTIENO	30550745	0716514819	
	EDWIN OTIENO	29831701	0708557216	
	CLEOPHAS MAKOLOLO	11417406	0714731501	
	ALVIN M. KABAKA	35461641	0742302900	
	PETER ODERO	37275503	0741765718	
	ANDREW SAMALA	14465258	0703712092	
	KEVIN AMUYUNZA	41701372	0716941467	
	COLLINS OTIENO	35142906	0118936022	
	CHEAVER KUMBASI	32286517	0115920715	
	JACOB ONYATI	10286109	0703363622	
	GIDEON ODHIAMBO	32449676	0797942166	
	AKAT GEORGE	11501955	0742362573	
	ALFRED OTIENO	23371039	0714573202	
	DUNCAN OKOTH	32558643	0746172424	
	EUGENE OCHIENG	39275914	0743397757	
	ERIK ODHIAMBO	25901172	0728005164	
	[illegible]	[illegible]	[illegible]	
	BYRON ONGORO	36111609	0700497184	
	FREDRICK AYUGI	32107315	0745061	
	CARNIRSLL ODHIAMBO	23257755	0704007493	
	KEVINE OWINO	32750193	0707164531	
	[illegible] OMONDI	30049385	0706735205	
	[illegible]	[illegible]	[illegible]	

SUKARI INDUSTRIES MEETING WITH MP HON MARTIN OWINO ON 11-2-2024 AT RIAT

ATTENDANCE LIST

SN	NAMES	ID NO	CONTACT	SIGN
1	JUSTUS NYAKANGAT	32523864	0726 093243	
2	PHILIP CHIKAMAI	32460871	0793244504	
3	EUGENE JUMA	41331606	07 3902 6840	
4	JARED WAMBASI	34575106	0740493197	
5	BRIAN SISA	34636458	0704 084948	
6	KENEDY ATUSIOLA	36216940	0790606409	
7	JACOB LUSENO	20354436	0792563945	
8	PHARU MOSES	37490204	0740213935	
9	GABRIEL SHIMAKA	29597657	0725374849	
10	JEREMIH WANJALA	9378021	0716856091	
11	Joseph Owino	35876164	0791393860	
12	Collins Owino	21254151	0719385496	
13	Moses Amboga	27066442	0703748203	
14	Oliver Mwangala	19634499	0719634499	
15	Wayo Mwaure	30367340	0791792930	
16	EVANS MUSEE	30822830	0758808408	
17	BENSON MULEPI	22772925	0706209014	
18	JOSEPH WAMALWA	27019074	0711 211782	
19	APOLLO OMUKA	7957105	0799813805	
20	COLLINS OTIENO	21254151	0719328894	
21	Dennis Wanami	38078112	0790371575	
22	Henry Lukhumbo	32781558	0700258641	
23	MAURINE AKINYI KOTELA	31200318	0799304121	
24	Benard C Nganga	20675277	0702276277	
25	FELIX MUTISYA	24539955	0795 [illegible]	
26	MARK MUGANGA	22853041	0714 [illegible]	
27	BENARD AMBOKA	23645120	0797719665	
28	Macdonald Ogundwa	28663324	0716300850	
29	WYCLIFFE ANDANJE	25420654	0706454629	
30	MESHACK [illegible]	[illegible]	[illegible]	

SUKARI INDUSTRIES WORKERS MEETING WITH HON. MARTIN OMINO ON 11-2-2024 AT KIAT

ATTENDANCE LIST

SN	NAMES	ID NO	CONTACT	SIGN
1	THOMAS MANGINA	27985100	0723735894	
	FREDRICK OMONDI	27130103	0706745282	
	JOSHUA OTIENO	20530 24	0742655601	
	Jared Wamo	36610462	0799660943	
	Simon Taiti	36770676	0724037691	
	MOSES BUSUKU	5740673	0746695784	
	PETER NATHAN	22794113	0115729417	
	OKOTH WILIS	31525571	0741843504	
	Henry Luchombo	32701857	0116098884	
	Ian Ochieng Ucla	38607910	0715156 36	
	Robert KOECH	29018132	0792139617	
	Wilson Karakacha Litali	27198750	0704555145	
	FRANCIS SHIKUKU LIANPH	20861922	0711600390	
	STEPHEN MIANGOR	25419366	0708161684	
	CHARLES OMondi	30874922	0742092366	
	KENNEDY OTIENO	40921410	0793366291	
	ELIAS OSIO	39695362	0716516655	
	MAURICE WANJALA	14552948	0748499838	
	Beatrice Ouma	14442289	0745272357	
	Fredrick Nanditti	2851789	0741094255	
	EDWARD WABUTI	22314149	0723696839	
	Denis Mbanuni	32790286	0703164919	
	Derrick MUSUMO	37755 4438	0790733120	
	Edward Mbanuni	30267697	0757102124	
	Lavenga Lumelgo	22386825	07[illegible]2940	
	Dennis Langat	24821091	0717132189	
	Titus Nanjagi	11043701	0719312688	
	Patrick Tokwo	27744351	0717990333	
	Isaac Ngeno	26429138	0722174339	
	[illegible]	[illegible]	[illegible]	
	Bo Sudo DOLLA	32706801	[illegible]	

BUSUKU INDUSTRIES WORKERS MEETING WITH
HON. MARTIN OWINO ON 11-2-2024 AT RIAT

SN	NAMES		ID NO	CONTACT	SIGN
1	VINCENT	OCHIENG	32972730	0140135394	
2	DENIES	OMONDI	37094195	0759604340	
3	BENSON	ONYANGO	25556430	0718505297	
4	Duncan	Otieno	26516037	0723033735	
5	Fred	OUMA	32963562	0799506715	
6	HILLARY	ONYANGO	35277756	0797451279	
7	CALVINCE	Odwuor	26782828	0758954064	
8	Joseph	Onyango	35805841 @11975633	011197563	
9	VICTOR	Mumbo	31031616	0716156152	
10	VICTOR	Omondi	32106774	0725357151	
11	PETER	ODERO OCHIU	22205721	0797026428	
12	Vincent	Owoch	24545177	0716230520	
13	OCHING	ADOYO	31705501	0715286470	
14	Junior	Otieno	40305825	0700266380	
15	MICHAEL	KIBIRAH	25508991	0700530969	
16	FRED	mumbo	34342843	0113515290	
17	FRANCIS	ODHIAMBO	32945825	0757049980	
18	PETER	Otieno	22652956	0708406072	
19	STEPHEN	OCOLA	20259109	0715934575	
20	Manoah	Ojwang	25524690	0727302853	
21	PAUL	WAGATHY	7951451	0714772671	
22	ERICK	OTIENO	22286731	0718888832	
23	EMMANUEL	BUSARA	29770197	0716621912	
24	Robert	Wuski	20459350	0711129297	
25	Yuda	Omondo	13384608	0712299006	
26	Alvin	Kepler	33224476	0768891223	
27	KENNEDY	OMONDI	20617142	0720476664	

SUKARI INDUSTRIES WORKERS MEETING WITH HON. MARTIN ORINO ON 11-2-2024 AT RIAT

ATTENDANCE LIST

SR	NAMES	ID NO	CONTACT	SIGN
	Albert Bunda	23683762	0712277511	
	George Kundi	14658938	0112475217	
	Antony God	31473910	0197528 64 94	
	[illegible]	30531412	0113432938	
	Felix Auuja	31727911	0781303141	
	Antony Ochuodho	33478317	0791025088	
	George Otieno	33078154	0752559464	
	Samuel Etelo	22054539	0716592139	
	Kennedy Owino	23004428	0716291715	
	Dennis Owiti	29327621	0727674534	
	Victor Musiko	36624672	0758486095	
	Uniralis Soita	41900976	0796673220	
	Charles Oyier	27503420	0718735323	
	Okoyo Paul	32457758	0712529763	
	Hoover Ndungu	13163140	0792469645	
	SETH OGUTU	38429145	0725935866	
	Jack Konya	20377434	0715426358	
	Elvis [illegible]	13165754	0796253687	
	TOBIAS OTIENO	25804927	0791410058	
	MARTINE SHIKUKU OMEO	20190900	0712-963847	
	DANCUN OPIYO	25304758	0797458833	
	BENARD OKIRO	24702283	0746735	
	VIOLET ACHIENG	31340443	0706011805	
	JUDITH ORWA	40721337	0797547459	
	DAVIS JAOKO	27593017	0759115726	
	ALICE AKINYI	42752159	0703191157	
	Oscar Amboka	41856798	0768571146	
	Boniface Onyango	27054721	0708105	
	VICTOR AUKO	26025805	0741120723	
	NANCY AKETH	22130959	0101642832	

	NAMES		ID	CONTACT	SIGN
1	Kevin	Aimbau	32772021	- 0790307635	
2	Roger	Omondi	37255595	- 0114764053	
3	PRINCE	MBINGI	38154561	0705661306	
4	VIVIAN	AKINYI	29837192	0707362954	
5	Rosemary	Wambo	28304596	0705244498	
6	Caroline	Atieno	21274272	0798935161	
7	Evaline	Akinyi	21561210	0715116855	
8	Silvia	Anyango	11486644	0724874243	
9	Simon	Mwanda	24595227	0795 388 2	
10	Raphael	Juma	23110924	0723668	
11	Francis	Obuthuke	31879252	0703398088	
12	Kevin	Okoth	34462495	0792554441	
13	Paul	Owidi	22032027	0720513574	
14	Steve	Omondi	34056770	0715652	
15	Stella	Mbakaya	27742726	0748903567	
16	ELIAH	KITAVI	2C335934	0716707490	
17	Daniel	Musama	30225258	0792497550	
18	Kadyeis	Mbito	27981058	0743023058	
19	Seiman	Okoyo	28826638	0715399887	
20	Ogola	Lucas	27456658	0741849481	
21	Fifred	Anyango	1C884589	0710C5C1250	
22	Miriam	Wahula	25075.	0704212454	
23	BERARD	OCHANJO	22782445	0792208334	
24	Kennedy	Omondi	32603457	0706915678	
25	Fredrick	Otieno	22434517	0778514272	
26	Lucas	Roman	24051293	0716719755	
27	OWINO	MARICE	20555462	0712784501	
28	James	Namondo	32813789	0720736666	
29	Ernest	Ngadiba	0748515517	11852160	
30	BRIAN	OLIVO	25789047	0757721521	
31	SAMSON	AINY	0742434866	27999049	
32	George	Otieno	0720686573	0794882908	
33	Leonard	Omondi	27839491	0721695 38	

Occupational Health and Safety

It must be recalled that among the grievances raised by the employee on 11th February 2024 and articulated by **Hon. Martin Peters Owino** (Ndhiwa Constituency) in the petition touching on the safety and health were;

i. *The outsourcing companies were issuing poor quality Personal Protective Equipment (PPE),*
ii. *The emergency exits at the factory were blocked thereby risking the lives of the staff in the event of fire,*
iii. *Lack of any policy for compensation in case of work-related injuries and fatalities.*

A. Staff Establishment In The Factory.

During the investigation the team that workers working at the factory comprises staff from;

a. M/s Sukari Industries ltd,
b. M/s Platinum Outsourcing and Logistics Ltd,
c. M/s Consolidated Human Resource Services ltd,
d M/s Volt Management Services Limited,
e. M/s Rolss Africa Solutions Ltd.

The table below captures the workforce performing duties in the various Departments/sections/units in the factory.

Table 1.

S/No.	EMPLOYER	NUMBER OF EMPLOYEES
1.	M/s Sukari Industries Ltd	122
2.	M/s Platinum Outsourcing and Logistics Ltd	879
3.	M/s Consolidated Human Resource Services ltd	490
4.	M/s Volt Management Services Limited	327
5.	M/s Rolss Africa Solutions Ltd	40
TOTAL		**1858**

B. Management Of Occupational Safety And Health

In the factory there are various committees that ought to be established as per the Occupational Safety and Health Act, Cap. 236A. The following are the committees/teams should be constituted and trained in the factory to perform specific responsibilities as prescribed by the law;

i. **Safety and Health Committee,**
ii. **Fire Fighting Team,**
iii. **First Aid Team.**

i. Safety and Health Committee

The Occupational Safety and Health Act, Cap. 236A. Section 9, requires that Every occupier shall establish a safety and health committee at the workplace in accordance with regulations prescribed by the Cabinet Secretary. The regulation that guides the formation of the Safety and Health Committee is The *Factories and Other Places of Work (Safety and Health Committees) Rules, L.N. 31 of 2004* .The Rules applies to all Workplaces and other workplaces which regularly employ twenty or more employees. Safety and Health Committee shall consist of safety representatives from the management and the workers. The composition of the safety and health committee shall be as per the table shown.

Table 2.

REPRESENTATION	NUMBER OF REGULAR EMPLOYEES BETWEEN		
	20 – 100	**100 - 1000**	**> 1000**
Management	3	5	7
Workers	3	5	7
TOTAL	**6**	**10**	**14**

In compliance with legal notice, the "employers" with the employees at the factory should have Safety and Health Committee members constituted as per the table below;

Table 3.

	EMPLOYER	NUMBER OF REGULAR EMPLOYEES BETWEEN		
		20 – 100	**100 - 1000**	**> 1000**
1.	M/s Sukari Industries Ltd	-	**10**	-
2.	M/s Platinum Outsourcing and Logistics Ltd	-	**10**	-
3.	M/s Consolidated Human Resource Services ltd	-	**10**	-
4.	M/s Volt Management Services Limited	-	**10**	-
5.	M/s Rolss Africa Solutions Ltd	**6**	-	-

However, the safety and Health committee at the factory has not been constituted as per the provision of section 9 of Occupational Safety and Health Act, Cap. 236A and Rule 4(2)(a) of Factories and Other Places of Work (Safety and Health Committees) Rules, L.N. 31 of 2004. The Safety and Health Committee in place need to be reconstituted to comply with the law.

ii. Fire Fighting Team

The Occupational Safety and Health Act, Cap. 236A. Section 81(1)(b), requires that there shall be *present, persons trained in the correct use of such means of extinguishing fire during all working hours.* Every occupier shall establish a fire-fighting team as prescribed in regulations by the Cabinet Secretary. The regulation that guides the formation of the fire-fighting team is *The Factories and Other Places of Work (Fire Risk Reduction) Rules, L.N. 59 0f 2007*. These Rules shall apply in every workplace, process and operations to which the provisions of the Occupational Safety and Health Act, Cap. 236A apply. The fire-fighting team shall consist of workers from the employer in the Workplace. The composition of the fire-fighting team shall be as per the table shown.

Table 4.

REPRESENTATION	NUMBER OF WORKERS		
	< 10	**11 - 25**	**> 25**
Workers	2	3	5
TOTAL	**2**	**3**	**5**

In order for the Workplace to be compliant with the applicable legal notice, the "employers" with workers at the factory should have fire-fighting team members constituted as per the table below;

Table 5.

EMPLOYER		NUMBER OF WORKERS		
		< 10	11 - 25	> 25
1.	M/s Sukari Industries Ltd	-	-	5
2.	M/s Platinum Outsourcing and Logistics Ltd	-	-	5
3.	M/s Consolidated Human Resource Services ltd	-	-	5
4.	M/s Volt Management Services Limited	-	-	5
5.	M/s Rolss Africa Solutions Ltd	-	-	5

It was noted with concern that the current fire-fighting team at the factory has not been constituted as per the provision of section 81(1)(b) of Occupational Safety and Health Act, Cap. 236A and Rule 20 (1)(a) of *The* Factories and Other Places of Work (Fire Risk Reduction) Rules, L.N. 59 0f 2007. In order for the fire-fighting team formed in the factory comprising of workers from outsourcing entities team needs to be reconstituted to comply with the law as shown in *Table 5*. This is contrary section 108 & 109 of Occupational Safety and Health Act, Cap. 236A and Rule 20 (2) of *The* Factories and Other Places of Work (Fire Risk Reduction) Rules, L.N. 59 0f 2007.

iii. First Aid Team.

The Occupational Safety and Health Act, Cap. 236A. Section 95, requires *Every occupier shall provide and maintain so as to be readily accessible, a first-aid box or cupboard of the prescribed standard.* For purposes of ensuring the provision of adequate first aid arrangements in a workplace, the occupier shall among other duties; *provide and maintain such appliances and services for rendering first aid to his employees in case of any accidents and emergencies & appoint in writing, adequate number of persons who shall administer first aid and be in charge of the first aid box or cupboard; ensure training for persons in charge of the first aid box or cupboard by first-aid training institutions approved by the Director*. The regulation that guides the appointment and training of the persons administering first aid is *The Occupational Safety and Health (First Aid in the Workplace) Regulations, L.N. 79 of 2024*. The provisions of these Regulations shall apply in all workplaces during all working hours. The persons administering first aid consist of workers from the employer in the Workplace. The composition of persons administering first aid shall be as per the table shown.

Table 6.

REPRESENTATION	NUMBER OF WORKERS				
	> 10	11 - 20	21 - 50	51 - 100	> 100
Workers	1	2	3	5	5 + 1 {100}
TOTAL	**1**	**1**	**3**	**5**	**5 + 1 {100}**

In order for the factory to be compliant with the applicable legal notice, the "Occupiers" with workers at the factory should have persons administering first aid constituted as per the table below;

Table 7.

EMPLOYER		NUMBER OF WORKERS		
		21 - 50	51 - 100	> 100
1.	M/s Sukari Industries Ltd	-	-	5
2.	M/s Platinum Outsourcing and Logistics Ltd	-	-	12
3.	M/s Consolidated Human Resource Services ltd	-	-	8
4.	M/s Volt Management Services Limited	-	-	7
5.	M/s Rolss Africa Solutions Ltd	3	-	-

The team noted that the current persons administering first aid at the factory has not been constituted as per the provision of section 95 of Occupational Safety and Health Act, Cap. 236A read together with Rule 4,6 & 7 of *The Occupational Safety and Health (First Aid in the Workplace) Regulations, L.N. 79 of 2024*. In order for persons administering first aid constituted the factory comprising of workers from outsourcing entities team needs to be reconstituted to comply with the law as shown in *Table 7*. This is contrary section 108 & 109 of Occupational Safety and Health Act, Cap. 236A and Rule 15 of *The Occupational Safety and Health (First Aid in the Workplace) Regulations, L.N. 79 of 2024*.

C. Petition On the Outsourcing Companies Were Issuing Poor Quality Personal Protective Equipment (PPE),

The Occupational Safety and Health Act, Cap. 236A, Section 101 requires "*Every employer shall provide and maintain for the use of employees in any workplace where employees are employed in any process involving exposure to wet or to any injurious or offensive substance, adequate, effective and suitable protective clothing and appliances, including, where necessary, suitable gloves, footwear, goggles and head coverings*".

Proactively, every occupier/employer shall carry out appropriate risk assessments in relation to the safety and health of persons employed and, on the basis of these results, adopt preventive and protective measures to ensure that under all conditions of their intended use, all chemicals, machinery, equipment, tools and processes under the control of the occupier are safe and without risk to health and comply with the requirements of safety and health provisions in this Act.

In this regard the Employer/Occupier shall assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE). If such hazards are present, or likely to be present, the employer shall: Select, and have each affected employee use, the types of PPE that will protect the affected employee from the hazards identified in the hazard assessment; Communicate selection decisions to each affected employee; and Select PPE that properly fits each affected employee.

At the factory, the Risk Assessment Report that is to guide the various entities with workers in the Departments/Sections/Units on how to protect their employees from hazards/risks was done by M/s Sukari Industries ltd. The outsourcing employers at the factory were found to provide inappropriate/defective personal protective equipment to their employees further exposing them to the hazards/risks identified.

Except for M/s Sukari Industries Ltd, the rest of the firms providing human resource at the factory namely; **M/s Platinum Outsourcing and Logistics Ltd, M/s Consolidated Human Resource Services ltd, M/s Volt Management Services Limited and M/s Rolss Africa Solutions Ltd didn't not avail for perusal the PPE Issuance Register for their employees working in areas with identified hazards/risks requiring the use of PPE. The supervision on the use of the PPE by the employees were found to be wanting especially in areas with warning signs on the use of PPE.**

The employee grievance resolution on matters agreed on regarding PPE went contrary to section 101 of the Occupational Safety and Health Act, Cap. 236A.It is our considered view that all the firms providing human resource at the factory have not provided the appropriate personal Protective equipment as stipulated by the Occupational Safety and Health Act, Cap. 236A.

D. Petition on the emergency exits at the factory were blocked thereby risking the lives of the staff in the event of fire.

The fire exits and emergency exits that had been blocked have been made accessible safe for those that are locked and manned because of security consideration. However, security considerations should not override the safety of the workers at the factory who work at daytime and night time.

The **Occupational Safety and Health Act, Cap. 236A** provides that "*while any person is within a workplace for the purpose of employment or meals, the doors of the workplace, and of any room therein in which the person is, and any doors which afford a means of exit for persons employed in the workplace from any building or from any enclosure in which the workplace is situated, shall not be locked or fastened in such manner that they cannot be easily and immediately opened from the inside*". The monitoring of the fire exits by the Occupational Safety and Health Officer's during their routine/impromptu inspection will help in compliance.

D. Petition on *Lack of any policy for compensation in case of work-related injuries and fatalities.*

The perusal of the General Register indicated forty (40) incidences where first aid attention had been administered to workers who had suffered occupational injuries. The General Register on Part III where the "*date on which the notification is/was sent to occupational safety and Health Officer*" captures dates purportedly are not factual. The Work Injury Register at the DOSHS – Homa Bay County do not have corresponding accident notification that tallies with the recorded injuries. The table below shows the Occupational Accidents that have been captured in our online system **(www.doshmis.go.ke)** for the entities proving labour at the factory;

Table 8.

S/No.	Employer	Online Accident Notification	Offline Notification
1.	M/s Sukari Industries Ltd	**0**	**15**
2.	M/s Platinum Outsourcing and Logistics Ltd	**12**	**0**
3.	M/s Consolidated Human Resource Services ltd	**9**	**0**
4.	M/s Volt Management Services Limited	**12**	**0**
5.	M/s Rolss Africa Solutions Ltd	-	-

The Occupational Accidents that have been captured, computed and settled are as shown in the table below;

Table 9.

S/No.	Employer	Computed	Settled
1.	M/s Sukari Industries Ltd	**15**	**5**
2.	M/s Platinum Outsourcing and Logistics Ltd	**12**	**0**
3.	M/s Consolidated Human Resource Services ltd	**9**	**0**
4.	M/s Volt Management Services Limited	**12**	**0**
5.	M/s Rolss Africa Solutions Ltd	-	-

E. Challenges with Compensation framework.

The **Work Injury Benefits Act, Cap. 236** lacks clear and effective provisions empowering officers of the Directorate of Occupational Safety and Health Services (DOSHS) to prosecute non-compliant employers or institutions. This weak enforcement capacity undermines accountability and leads to chronic delays in compensating injured employees/workers injured in the course of performing lawful duties.

The current employer-liability system under the **Work Injury Benefits Act, Cap. 236** has proven unsustainable for workers across all sectors as it results in long delays, inconsistent payments, and inadequate post-injury support. The proposed Workers Injury Compensation Fund Bill, 2024 offers a comprehensive and sustainable solution by establishing a Workers Injury Compensation Fund.

F. Way forward.

It could be deduced that there could be under reporting of occupational accident that have occurred at the factory by the entities with employees. **This is in contravention with section 21 of Occupational Safety and Health Act, Cap. 236A and section 22 of Work Injury Benefits Act, Cap. 236. Further, once the Director of Work Injury Benefits computes a claim, "***An employer or insurer against whom a claim for compensation is lodged by the Director under this section, shall settle the claim within ninety days of the lodging of the claim".* **All the claims have not been settled with the statutory timeline provide for by the Work Injury Benefits Act, Cap. 236. In this regard the employers with injured employees at the factory should settle all the pending compensable claims forthwith.**

SUKARI INDUSTRIES LTD

EMPLOYEE GRIEVANCES RESOLUTION MEETING HELD ON 26.02.2024
AT THE SENIOR GUEST HOUSE BOARDROOM FROM 9.30AM

SUKARI INDUSTRIES LTD
PLOT No. 1511/1512,
P.O. BOX 237-40302 NDHIWA,
HOMA BAY COUNTY, KENYA.

IN ATTENDANCE:

Workers Committee Representatives:

1.	Peter Omiyo	Committee member
2.	Ploycarp Alego	Committee member
3.	Stephen Obanda	Committee Member
4.	Josphine Aori	Committee member
5.	Josephine Ariyo	Committee member
6.	Elizabeth Orwe	Committee member
7.	Philo Ongoro	Committee member
8.	Bonphase Gor	Committee chair
9.	Joseph Sikolia	Committee Member-Tractor
10.	Aloiec Kambaya	Committee member – Tracks
11.	Geoffrey Anyanga	Committee member
12.	Mercy Abonyo	Committee member
13.	Ezekiel Abanga	Committee member
14.	Tom Mboya	Committee Member
15.	James Opiyo	Committee member

Employers Representatives:

1.	Collins Aluku	HRM – SIL
2.	Edward Mungatana	Group CHR
3.	Eliud Madioli	Group Logistics manager
4.	David Wekesa	Dep Transport Manager
5.	Kennedy Odhiambo	CHRS
6.	Thomas Juma	HR Volt
7.	John Oketh	HR Fast Track
8.	Victor Simiyu	Fast Track
9.	Edwin Maiyo	Regional manager Fast Track
10.	Paul Ochieng	HR Fast Track
11.	V P Tyagi	General Manager

PREAMBLE:

Following the return-to-work formula signed between employees and employers (Fast Track Management, Volt and Consolidated HR solutions) at Sukari Industries on 11th Feb 2024 and the subsequent meetings held between the parties since then.

A final meeting was held between the parties was held on 26th Feb 2024 to agree the way forward.

AGENDA:

- To review employee grievances (Schedule 1) and agree on the way forward

SUKARI INDUSTRIES LTD

MIN 1 – GRIEVANCES:

Parties agreed that the best way to handle the grievances is to categorize them into 3 groups: -

- Salaries and wages (Edward Mungatana/Collins Aluku)
- Health and safety (David Maganga)
- Employee welfare (Collins Aluku)

Each category was assigned a Senior Manager to champion its resolution.

MIN 2 - SALARIES AND WAGES:

General Workers

- These will be revised to the new rates as per attached Schedule 2.
- The new rates will come into effect from 1st March 2024

Tractor Drivers

- Tractor drivers' tonnage rate has been reviewed to kshs 39 per ton effective 1st March 2024.
- Details of agreement on Tractor Workers attached as per Schedule 3.

MIN 3 - HEALTH AND SAFETY:

- Subcommittee of the workers committee under the chairmanship of EHS Manager was formed to address the issues raised with a view to closure by the end April of 2024.
- Emergency exits - DOSH officer's inspection report and final recommendations are being a waited for adoption

MIN 4 - EMPLOYEE WELFARE:

Subcommittee of the workers committee under the chairmanship of the HR Manager formed to address the concerns raised with a view to closure by the end of April 2024.

Detail of agreements reached between parties under min 2 – 4 are listed in Schedule 4.

MIN 5 - INDUSTRIAL PEACE:

Parties recognize the fact that industrial peace is crucial to a sustainable working environment.

Parties agree that striking without notice works against the principle of harmonious industrial relations and is injurious to the interests of all stakeholders.

Parties therefore commit to in future follow the laid down process of consultations in order to resolve issues and grievances before they escalate.

MIN 6 - WORKERS COMMITTEE:

Following minute number 5 above, parties agree to strengthen the workers committees as a means to achieving and maintaining industrial peace.

To this effect,

a. Each outsourced company commits to form and maintain a workers committee that will meet at least once a month and minutes of such meeting to be shared with the management of Sukari Industries
b. HR Manager Sukari Industries to meet with employers of outsourced labour providers and officials of the workers committee at least once every month to review common grievances affecting workers.
c. At least once every quarter, GM or his representative to participate in the monthly meeting of the workers committee officials together with the HRM

SUKARI INDUSTRIES LTD

MIN 7 – A.O.B

New grievances were raised concerning;

- Loaders
- Truck Drivers

Parties agreed that these were not part of the original grievances brought forward and therefore to be raised separately if necessary.

-ends-

SUKARI INDUSTRIES LTD.
PLOT No. 1511/1512,
BOX 237-40302 NDHIWA.
HOMA BAY COUNTY, KENYA.

SUKARI INDUSTRIES LTD

SCHEDULE 1: Employee Grievances as received on 11th Feb 2024

Sr.No	Matters arising from Employees
1	Request for salary review due to inflation and elevation of Ndhiwa as municipality
2	Racism and discrimination especially from Auto workshop and top management of Sukari eg. Tea without sugar for Africans, holding separate meetings, airtime allocation
3	Unfair and unprocedural termination of employees
4	Request for staff canteen
5	Salaries to be paid through bank and not MPESA
6	The outsourcing companies issue poor quality PPE
7	Tractor drivers requested for basic salary just like the prime mover drivers
8	Staff bus to be introduced to drop employees' home after work
9	Employees requested to have the Mid- Month salary advance reinstated
10	The employees cited discrimination in the use of ambulance. Expatriates given special attention while local are just dropped and left at the hospital.
11	Indian workers paid high salaries than locals despite having similar skills or even less skills than the local counterparts. Recently expatriates show off their high salaries as compare to the old team
12	Allowance was scrapped for staff going out to the field eg recovery team
13	Failure to remit statutory deductions ie. NSSF , NHIF Helb
14	Staff want to be allowed to join union
15	The GM is accused of being a racist and unapproachable by local employees
16	Employees want to be put directly to Sukari payroll to eliminate the perceived discrimination of pay and other benefits
17	The emergency exits were blocked at the factory hence risking the life of staff in the event of fire
18	Employees retiring without gratuity / service pay

SCHEDULE 2: New Salaries & Wages

Sr. No	Revised Basic
1	10,009
2	10,870
3	11,221
4	13,840
5	16,021
6	16,670
7	19,347
8	22,373
9	22,416
10	25,428
11	32,083

1. Effective Date: 1st March 2024

2. Salary Advance
- To be given on emergency cases only upon written request
- Employers to avoid being unreasonable where there are deserving cases

3. Pay Point
- Employees have the option to choose their payment option, either bank or MPESA
- Employees to inform their employer in reasonable time where changes are required.

4. Lunch Allowance
- Applicable to teams on recovery duty and security where they spend more than 12 hours or more at site.

SCHEDULE 3: Tractor Drivers Grievances

1. Contracts of Employment: All drivers to be issued with contracts of employment by their respective employers.

2. Revised Tonnage Rate: kes 39 per ton

3. Benchmark for Fuel:
- 0-5km : 5 liters flat rate
- Transport Manager to define subsequent radial distances/fuel necessary on behalf of the company

4. Bonus Payments – to remain as per status quo
- Applicable on cumulative cane collected on a given day.
- 10t and above: 250/- per day
- Less than 10t: 150 per day

SCHEDULE 4: Other Items Discussed & Agreed

1. PPE

Employers are is responsible for defining the required PPE and its issuance. The recommendation is as follows:
- Overalls – 2 per annum
- Boots/Gum Boots – 1 pair per annum
- Provision of Helmets where applicable
- Raincoat (where applicable on discussion with EHS manager)
- Company to ensure that they are of appropriate quality
- Company to try and time the issuance of PPE to the early part of any given year
- Employee
- s ae responsible for taking good care of their PPE
- Employers reserve the right to surcharge where employees lose or fail to take proper care of their PPE's

2. **AMBULANCE SERVICES**
- Available for emergencies at the factory in the first instance
- The mobile number for the service to be shared/made available

3. **CANTEEN**
- At the appropriate point/time, the company to undertake the construction of a staff canteen

4. **MOBILE PHONE CREDIT – EQUITY**
- Company to ensure that there is equity in the issuance of airtime; either all or none of the managers/supervisors and eligible persons receives otherwise it creates the impression of bias and discrimination.

5. **HR POLICIES**
- Disciplinary Action: Company to commit to following due process at all times especially when it comes to dismissals and termination of service
- Promotions/Appointments: Company to commit to following a fair process and to issue formal letters at all times to ensure fairness and equity.

-end-

SUKARI INDUSTRIES LTD.
PLOT No. 1511/1512,
P.O. BOX 237-40302 NDHIWA,
HOMA BAY COUNTY, KENYA.

Confirmation of minutes

	Name	Designation	Signature
1.	Edwin K. Mayo	HOD	
2.	Victor Simiyu Khisa	Fast Track	
3	Kenneth Edwards	CHS	
4	Bonphase Ochieng	Commete Chair	
5	Jacephine Aoni	Committee secretary	
6	Geoffry Anyanga	Tractor Driver	
7	Collins Aluku	HRM-SIL	
8	Edward Munyithya	CHRO	
9	V P Tyagi		
10			
11			

APPENDIX 2a

PLATINUM OUTSOURCING & LOGISTICS (E.A) LIMITED		
DOCUMENT TITLE: PPE ISSUANCE FORM		
REF NO: POL-FT-HS-03	ISSUE NO: 2 / Rev. 02	Date of Issue: 2nd Nov. 2015

I Okoth James..... of ID Number 30284463...attached to Sukari.....contract as Wheel Loader operator confirm that the PPE listed below have/has been issued to me in accordance with the occupational safety and health act of 2007.And that all times shall use or wear the Personal Protective Equipment provided to me for the purpose of preventing risks to my health and safety. I further confirm that I have been trained and understand how to use the Personal Protective Equipment issued to me. I fully understand that failure to use appropriately the personal protective equipment provided to me can result in serious injury or death.

I hereby take responsibility to:

- take reasonable care of the PPE provided to me;
- use PPE in accordance with the training and instruction given;
- to keep the PPE clean and return it to its place of storage after use,
- report any loss or defect immediately to my manager or supervisor,
- And take full responsibility of any incidents that will be as a result of improper or not using the Personal Protective Equipment issued to me.

TYPE OF PPE ISSUED	QTY	DATE ISSUED	EMPLOYEE'S SIGN.	ISSUER'S SIGN.	DATE OF RETRIVAL	RETRIEVED BY
Helmet	1	15/4/25	Jokt			
Reflector	1	15/4/25	Jokt			
Safety Boot	1	15/4/25	Jokt			
Overall	1	15/4/25	Jokt			
Gumboot	1	29/1/25	Jokt			

PPE received by.....OKOTH JAMES.....Date...15/4/25.....

Issued By....Vincent Olwambo.....Date...15/4/25.....

APPENDIX 26

CONSUMABLE PPE'S ISSUANCE FORM

	NAME	DEPARTMENT	DESIGNATION	PPE'S TYPE	DATE	SIGN
1	Simon Ochumbo	Civil	Stone breaker	Leather Handgloves	09/1/26	
2	Virgin Lwaka	Civil	Drainage cleaner	Leather Handgloves	12/02/26	
3	Bernard Orwa	HR&Admin	General Cleaner	Rubber Handgloves	09/02/26	
4	Robert Olhuong	Transport	Winch tranman	Leather Handgloves	12/02/2026	
5	Jackson Otieno Opiyo	Health & Safety	Exhauster driver	Rubber Handgloves	13/02/2026	
6	Charles Cangat	Health & Safety	Exhauster driver	Rubber Handgloves	13/02/2026	
7	Augustino Mutasya	Engineering	Turbine operator	Ear Plug	20/02/26	
8						
9						
10						

ISSUED BY CHRS EHS OFFICER:

NAME: Robert Ouko Sidi Sign: Date: 09/01/2026

I Ezekiel Sivitari ID NO 28362571

Designation Bagasse tractor driver Department HR & Relations

Hereby confirm having received the following protective in my custody.I also confirm that I am responsible to use all the protective items like Overall,Dust Coat, Gumboots,Helmet,Safety Shoe , Raincoat while on duty, working either on shift or general shift or working for any company's work.

I bind myself to this regulation, failure which, I am liable for disciplinary action.

Protective issued for the year 2022-2023.

SR.NO	Item Description	No.	Size	Colour.	Qty	Date issued	Sign
1	overall			MAROON/BLUE/WHITE			
2	Dust coat			BLUE			
3	Safety Shoes			BLACK			
4	Gumboots			BLACK			
5	Helmet			BLUE/MAROON,YELLOW,WHITE			
6	Raincoat.						
	Reflective Jacket good	-	-		1	06/12/25	

Confirmed and received By:

Name Ezekiel Sivitari Id.No 28362571

APPENDIX 2c

VOLT MANAGEMENT SERVICES LIMITED

EMPLOYEES NAME	ROBINSON AWUOR
DESIGNATION	WELDER
ID NUMBER	22274720
TEL NO:	0727800230
PPE ISSUED BY	

WEARABLES PPE ISSUED

TYPE ITEM OF PPE ISSUED	DATE OF ISSUANCE	EMPLOYEE SIGNATURE	PPE NUMBER/CODE	EMPLOYER SIGNATURE
SAFETY Boot Wear	4/12/2025		No. 8	
Gum. Boots	4/12/2025		No. 8	Not issued
OVERALL	16/12/2025			
WELDING SHIELD	16/12/2025			

CONSUMABLE PPE ISSUANCE.

ITEM NAME	TOTAL NUMBER OF ITEMS ISSUED	DATE ISSUED	EMPLOYEE SIGNATURE	EMPLOYER SIGNATURE	
Grinding Shield	1	16/12/2025			
Belt	1	16/12/2025			
EAR MUFF	1	16/12/2025			
Welding Goggles	1	16/12/2025			
HAND GLOVES	1	16/12/2025			
Hand glove	2	2/2/2026			

APPENDIX 4a

NSSF
Growing You. For Good

PAYMENT RECEIPT

For general inquiries
Contact your nearest NSSF branch
Toll Free Line: 0800 2212744
Hotline No: 0202727882

RECEIPT NO: 50201 / 2026 / 1113

PRINT DATE: 04/03/2026

ACCOUNT NO: 01567128
RECEIVED FROM: SUKARI INDUSTRIES LIMITED
PAYMENT MODE: EFT
BANK: 01230 - Kenya Commercial Bank Ltd -Homabay Branch
DOCUMENT: FT26040QY671 Date: 09/02/2026

RECEIPT DATE: 11/02/2026

Payment Type	Period	Amount
Pension Fund - Tier 1	01/2026	122,880.00
Provident Fund	01/2026	19,540.00
Pension Fund - Tier 2	01/2026	798,316.00

Paid amount Kes:	940,736.00

Nine Hundred Forty Thousand Seven Hundred Thirty-Six Kes ONLY
REMARKS:

This is an electronically generated document that does not require a signature and a stamp.

APPENDIX 46

KCB iBANK

Bill Payment

27/02/2026 16:30:48

Type of Transfer

Transfer Type	Bill Payment

Amount

Amount	KES 1,216,968.00

From Account

From Account	1335102116

To Account

To Account	955

Bill Payment Details

Company Name	NSSF Corp UPN
Customer Name	CONSOLIDATED HUMAN RESOURCE SOLUTIONS LIMITED-HOMABAY.
Credit Account Identifier	-
Invoice Number	826001354844

Details

Created On	11/02/2026 08:53:57
Execution Date	11/02/2026 08:53:33
Transaction Number	20075624070
Payment Purpose	-
Status	Completed
Created By	6696901
Approved By	-

KCB E

APPENDIX 4C

December.

SERIAL No. 27617198

SF/FIN/INC/DF/002

NSSF
Growing You. For Good

www.nssf.or.ke

RECEIPT

VA-PALA

31/01/2026

Amount
450.040,00
225.342,00

P. O. Box 30599 GPO
Tel: 2729911, 2710662 - NAIROBI

SS/EFT

n RTGS/EFT Menu
erence Number :826000794459

k Account Number

NSSF Account Number :
- KCB Bank : 1107110270
- Cooperative Bank : 01136201750000
- NBK Bank : 01003002837701

Amount : 675.382,00

KCB Bank : 1103265954
Coop Bank : 01136201750000
NBK Bank : 01003002837701

Account Number: 826000794459
Amount: 675.382,00

Notice: Employers are reminded that the due date for NSSF Contribution remittance is 9th day of each calendar month.

THIS IS NOT A PAYMENT RECEIPT

SF/FIN/UPN/DF/2022.1

APPENDIX 4d

For General NSSF Questions
Contact NSSF Call Centre
Tel: +254 (020) 2729911
Cell: +254(0722) 204 192
+254(0734) 333 238
Toll Free : 0800 2212744
Email: info@nssfkenya.co.ke

Unique Payment Number (UPN)

Payment Order

NSSF

www.nssf.or.ke

Employer Information	
Employer Number	01693352
Name and Address	PLATINUM OUTSOURCING & LOGISTICS (E.A) LIMITED
	56795, NAIROBI, NAIROBI, KILIMANI, KILIMANI, NAIROBI, K-REP BUILDING, WOOD AVENUE
email Address	info@platinum-outsourcinglogistics.com

Payment Order Details			
Unique Payment Number	826001563570		
Submission Type	Normal		
Issue Date	11/02/2026	Expiry Date	28/02/2026
Payable Amount	25.657.110,00		
Prepared By			

Particulars

Payment Type	Period	Amount
Pension Fund - Tier 2	01/2026	17.061.222,00
Provident Fund	01/2026	3.850,00
Pension Fund - Tier 1	01/2026	8.592.038,00

How to Pay

Cash Deposit
Proceed to the Bank
KCB, COOP, NBK
Present UPN

Bank Account Number Details

KCB Bank : 1103265954
Coop Bank : 01136201750000
NBK Bank : 01003002837701

M-Pesa

Go to M-Pesa Menu
Lipa NA M-pesa
Select Paybill
Paybill : 222222
Account Number: 826001563570
Amount: 25.657.110,00

RTGS/EFT

Open RTGS/EFT Menu
Reference Number :826001563570

Bank Account Number

NSSF Account Number :
- KCB Bank : 1107110270
- Cooperative Bank : 01136201750000
- NBK Bank : 01003002837701

Amount : 25.657.110,00

Notice: Employers are reminded that the due date for NSSF Contribution remittance is 9th day of each calendar month

APPENDIX 6a

REPUBLIC OF KENYA

MINISTRY OF LABOUR
STATE DEPARTMENT FOR LABOUR
DIRECTORATE OF OCCUPATIONAL SAFETY AND HEALTH SERVICES

Tel: 0736352237

Email: homabay@doshmis.go.ke

Homabay

P.O. Box **26-40300**

When replying, please quote

REF: ML/DOSHS/HMB/SHW/INS-2857/Folio/2026 **30 October 2024**

THE OCCUPATIONAL SAFETY AND HEALTH ACT, 2007
IMPROVEMENT NOTICE UNDER SECTION 36

SUKARI INDUSTRIES LIMITED

P.O. Box **237**

Homa Bay

Take note that, I, **Elondanga Reu Andati** being an officer duly appointed under the Occupational Safety and Health Act, 2007, and as such officer, by powers duly conferred upon me under section 32 hereby notify you that on **30 October 2024** I entered, inspected and examined your workplace, Situated in **NDHIWA** on plot number **1511/1512 Kanyikela** along **NDHIWA-RIAT** Road in **Homa Bay** County.

And as a result of my entry and inspection/examination of the said premises; found that:-

PARTICULARS

Contravention

You have failed to formulate fire safety policy.
Mark all walk ways in the plant area.
Provide changing rooms for all workers in the plant.
Provide earmuffs for workers in noise prone areas and safety goggles for those working in the bagasse section and ensure enforcement for their proper use.
Provide clear abstracts in prominent areas around the plant.

This in my opinion contravened the sections of the Act or the Rules made under the said Act.

And as such do hereby serve this **Improvement Notice** requiring you to rectify the above contravention(s) within a period of **21 days** from the date of service of this notice. Unless the matter(s) specified in this Notice are remedied and the undersigned officer lifts this Notice on being satisfied that the said contravention(s) or, as the case may be, the matter(s) occasioning them no longer exist(s), further legal action will be considered.

Reasons for serving this notice:

The contraventions pose risk to the safety and health of persons employed.

The above mentioned contraventions have been continued for sometime.

Name of officer serving the Notice: : **Elondanga Reu Andati**

Designation: : **Senior Occupational Health & Safety Officer**

Date **30 October 2024**

Signature



SERVICE OF THE IMPROVEMENT NOTICE:

This Notice is served in accordance to section 118 of the Occupational Safety and Health Act,2007.

Received by (Name): **SUKARI INDUSTRIES LIMITED**

Designation : **Employer**

Date **30 October 2024**

Cc: Secretary, Occupational Safety and Health,
P.O. Box 34120-00100,
NAIROBI

APPENDIX 6b

REPUBLIC OF KENYA

MINISTRY OF LABOUR
STATE DEPARTMENT FOR LABOUR
DIRECTORATE OF OCCUPATIONAL SAFETY AND HEALTH SERVICES

Tel: 0736352237

Email: homabay@doshmis.go.ke

Homabay

P.O. Box **26-40300**

When replying, please quote

REF: ML/DOSHS/HMB/SHW/INS-5910/Folio/2026 **10 March 2025**

THE OCCUPATIONAL SAFETY AND HEALTH ACT, 2007
IMPROVEMENT NOTICE UNDER SECTION 36

SUKARI INDUSTRIES LIMITED

P.O. Box **237**

Homa Bay

Take note that, I, **Elondanga Reu Andati** being an officer duly appointed under the Occupational Safety and Health Act, 2007, and as such officer, by powers duly conferred upon me under section 32 hereby notify you that on **10 March 2025** I entered, inspected and examined your workplace, Situated in **NDHIWA** on plot number **1511/1512 Kanyikela** along **NDHIWA-RIAT** Road in **Homa Bay** County.

And as a result of my entry and inspection/examination of the said premises; found that:-

PARTICULARS

Contravention

1. You have failed to carry out pre-employment and periodic occupational medical examinations done by Designated Health Practitioner (DHP) contrary to section 103 of the Act as read together with the Legal Notice No. 24 of 2005 (Medical Examination Rules).
2. You have not carried out a suitable risk assessment of your workplace and submit a copy of the report to the area occupational safety and health officer contrary to section 6(3) and 6(4) of the Act.
3. You have failed to provide suitable and adequate first aid rooms contrary to Rule 7 of the Legal Notice No. 160 of 1977.
4. You have failed to provide and maintain for the use of employed persons suitable and adequate accommodation for clothing not worn during working hours contrary to section 93 of the Act.
5. You have failed to provide suitable personal protective clothing and appliances for fire fighters and all workers in the noisy areas of the factory contrary to sec. 101 (1) of the ACT.
6. You have failed to provide adequate and suitable sanitary convenience within the workplace with close proximity to working areas contrary to section 52 (1)
7. You have failed to carry out a noise survey of your workplace contrary to sec. 6 (1) of Factories and Other Places of Work (Noise Prevention and Control) Rules, 2005.
8. You have failed to ensure cleanliness in your workplace as some sections of the building were untidy with spider webs, generally not cleaned contrary to section 47 (1) of the Act.
9. Install fume hood in the laboratory and proper working platforms.
10. Carry out a thermal survey at the pan and turbines and implement the recommendations.
11. Provide standard chairs with ergonomic features within the entire workplace.

12. Improve on housekeeping at the cane yard and work on the drainage.
13. Guard the conveyer chains at the packing area.
14. Ensure your pathway from the gate to the factory is properly maintained or put up a pavement to prevent mad during rain and dust during dry season.

This in my opinion contravened the sections of the Act or the Rules made under the said Act.

And as such do hereby serve this **Improvement Notice** requiring you to rectify the above contravention(s) within a period of **21 days** from the date of service of this notice. Unless the matter(s) specified in this Notice are remedied and the undersigned officer lifts this Notice on being satisfied that the said contravention(s) or, as the case may be, the matter(s) occasioning them no longer exist(s), further legal action will be considered.

Reasons for serving this notice:

The contraventions pose risk to the safety and health of persons employed.

The above mentioned contraventions have been continued for sometime.

Name of officer serving the Notice: **: Elondanga Reu Andati**

Designation: **: Senior Occupational Health & Safety Officer**

Date **10 March 2025**

Signature



SERVICE OF THE IMPROVEMENT NOTICE:

This Notice is served in accordance to section 118 of the Occupational Safety and Health Act,2007.

Received by (Name): **SUKARI INDUSTRIES LIMITED**

Designation : **Employer**

Date **10 March 2025**

Cc: Secretary, Occupational Safety and Health,
P.O. Box 34120-00100,
NAIROBI

APPENDIX 5a

UNION DUES DEPOSIT SLIPS

FamilyBank for life CUSTOMER RECEIPT

PARTICULARS | MONEY OUT | MONEY IN

Unclared Balance

Available Balance

CUSTOMER COPY

FAMILY BANK
23 JAN 2026
TELLER No. 9
KILIMANI BRANCH

Platinum

APPENDIX 56

Remittance Advice

18/10/2025 10:19:02

Dear Client,
This serves to confirm that the following payment was successfully processed through Online Payments

Client name	**VOLT MANAGEMENT SERVICES LIMITED**
Source account	**20****6802**
Beneficiary name	**KUSPAW**
Beneficiary account	**025000029169**
Beneficiary bank	**FAMILY BANK LTD**
Beneficiary bank branch	**KISUMU**
Beneficiary bank SWIFT/BIC	**FABLKENAXXX**
Transfer currency	**KES**
Transfer amount	**22,304.85**
Value date	**16/10/2025**
Payment description	**Utilities**
Beneficiary reference	**Volt Sukari Sept Kenindia Pay**
Status	**Bank Processed [16/10/2025 16:46:16]**

Details of this payment may be confirmed by contacting the Relationship Manager during office hours **on** +254 (20) 425 4000 or by e-mail **at** AbsaAccessSupport.KE@absa.africa

Absa Business Bank - Transactional Banking
Absa Bank Kenya PLC. Registered in Kenya (registered number C. 18208). Registered office: The West End Building, Waiyaki Way, P. O. Box 30120, 00100 GPO, Nairobi, Kenya. Absa Bank Kenya PLC is regulated by the Central Bank of Kenya.

APPENDIX 5c

CHRS

EQUITY

File Transactions

Total Search Results: 1

Beneficiary Account No	Beneficiary Name	Debit Account No	Status	Currency	Value Date	Amount	Payment Type
025000029169	KENYA UNION OF SUGAR PLANTATION	0120278929852	Successful	KES	15/01/2026	24776	PESALINK

APPENDIX 3a

MADISON
General Insurance

21st July 2025

INSURED: PLATINUM OUTSOURCING AND LOGISTICS (E.A.) LIMITED/CHANIA CLEANERS LIMITED - COVERAGE SUMMARY 09/04/2025 to 08/04/2026

We confirm cover for the below policies for a period of one year from 09/04/2025 to 08/04/2026

CLASS, DETAILS	SUM INSURED	COVER / REMARKS /EXCESSES
FIRE & PERILS		
Floor Maintenance machines, vacuum cleaners, Lawn mowers, gyro mowers cleaning supplies and all other property belonging to the insured		Earthquake excess 2% max. Kshs. 5,000,000 per location
Process equipment and service utility equipment at Factory at Awendo		Flooding Excess:10% of each and every claim min.Kshs.500,000/=
TOTAL SUM INSURED	73,650,000	
BURGLARY		
Floor Maintenance machines, vacuum cleaners, Lawn mowers, gyro mowers cleaning supplies and all other property belonging to the insured		Excess:10% of claim amount min.Shs.10,000
Process equipment and service utility equipment at Factory at Awendo		
TOTAL SUM INSURED	51,950,000	
FIRST LOSS SUM INSURED	10,000,000	
PUBLIC LIABILITY		
Any one claim	30,000,000	Nil
Any one event	30,000,000	
Any one period	100,000,000	
MONEY		
Cash In transit until paid out	1,000,000	
Cash in locked safe/strongroom	1,000,000	Excess-10% of each and every claim min. Kshs.20,000/=
Cash on premises during business hours	1,000,000	
Any other Money	1,000,000	
Damage to safes, lockers, strongrooms, receptacles etc	500,000	
Value Of Safe Or Strong Room		
Estimated Annual Carry	24,000,000	
FIDELITY GUARANTEE		
Any one employee/claim	50,000,000	Deductible -10% each & every loss Min kshs.100,000/=
Annual Aggregate Limit	50,000,000	
Collision	50,000,000	
GROUP PERSONAL ACCIDENT / WIBA		
Platinum Outsourcing & Logistics (EA) Ltd		Excess - 5,000 of each & every claim excluding Funeral Expenses Claims
CLEANERS/HOUSEKEEPING/STORE KEEPERS - 463	71,085,163.92	A) Death: 96 months earnings subject to the maximum limit of liability above.
DRIVERS/LOADERS/MESSENGERS/PLANT - 1,239 OPERATORS/RIDERS/TURNBOYS/FORKLIFT OPER	160,185,364	B) PTD: Percentages as set out in the First Schedule of Work Injury Benefits Act
ENGINEERS/MACHINE OPERATORS - 115	13,601,832.00	C) TTD: As per the Work Injury Benefits Act, 2007 maximum 12 months earnings.
GENERAL WORKERS/CASUALS - 537	69,123,257.52	D) Medical Expenses: Actual expenses incurred Max. Kshs.500,000/= per employee
OFFICE/ADMIN/ACCOUNTS/FINANCE/IT - 86	11,874,461.88	E) Funeral Expenses: Kshs.100,000/= per deceased employee
Estimated Annual Salaries	325,870,079	
Chania Cleaners Ltd		
CLEANERS/HOUSEKEEPING/STORE KEEPERS - 622	97,428,744	
Estimated Annual Salaries	97,428,744	

DIRECTORS: S. G. Ngaruiya (Chairman), H. G. Wambugu (Managing Director), J. M. Wainaina, S. M. Ngaine, E. K. Mwarania, G. Ngaruiya, E. Kalya

Madison General Insurance Kenya Ltd.
Upper Hill Close, P.O. Box 46666 - 00100
Nairobi, Kenya.

Tel: 020 2864000 / 0709 922 000
Email: madison@madison.co.ke
Web: www.madison.co.ke

Dial *828# and select pay premium

A Subsidiary of the Madison Group.

Madison General Insurance Kenya Limited is regulated by the Insurance Regulatory Authority.

AKI ASSOCIATION OF KENYA INSURERS

APPENDIX 36

GA Insurance Limited
Ralph Bunche Rd
P. O. Box 42166, 00100 Nairobi
Tel 020-2711633, 0736 711633, 0721 677273 | PIN P000612829R

POLICY SCHEDULE

CLASS : WORKMENS INJURY BENEFIT ACT

POLICY NO : P-2025-100-3036-30-64505

AGENCY : 6000000576 - VOLSA INSURANCE AGENCY LIMITED

INSURED : VOLT MANAGEMENT SERVICES / SUKARI
P O BOX 51821-00200
NRB
KE

PIN No :

OCCUPATION :

PERIOD : FROM : 01-Mar-2025 00:00 **TO :** 28-Feb-2026 23:59

RENEWAL DATE 01-Mar-2026 00:00

	KSH
Premium :	937,596.00
Stamp Duty :	40.00
PHC Fund :	2,344.00
Training Levy :	1,875.00
Total Amount :	941,855.00
Future Annual Prem :	833,195.00

NB: FAP Without Charges

BENEFITS COVERAGE	COMPENSATION TO EMPLOYEES
1.Death	96 Months earnings
2.Permanent Total Disability	96 Months earnings
3.Temporary total Disablity	Actual earnings upto 52 Weeks
4.Medical Expenses	Ksh. 100,000/= per person
5. Funeral Expenses	Ksh. 30,000/= per person

Subject to Under noted Limits

(a) Any one Person	Kshs. 10,000,000=
(b) Any one Occurence	Kshs. 25,000,000=
(c) Any one Year	Kshs. 50,000,000=

NO. OF EMPLOYEES	OCCUPATION OR NAME	ESTIMATED ANNUAL EARNINGS
5	TRACTOR DRIVERS	1,110,000.00
5	LOADERS	1,803,600.00
8	PRIME MOVER DRIVERS	1,814,400.00
8	GENERAL WORKERS/CASUALS	1,561,788.00
5	STONE CUTTERS	957,000.00
5	TRUCK DRIVERS	2,214,000.00
8	SEMI SKILED LABOURERS(MASON,WELDERS,CARPENTERS)	4,458,240.00
6	GRADED AND UNGRADED WELDERS	2,656,800.00
5	GRADED AND UNGRADED ELECTRICIANS	2,214,000.00
7	GRADED AND UNGRADED MECHANIC	3,099,600.00
3	GRADED AND UNGRADED PANEL BEATERS	1,328,400.00
8	STORE/JUNIOR/GENERAL/VERIFICATION/DATA ENTRY	2,160,000.00
3	CLEANERS	417,600.00
7	TYREMAN AND HELPERS	1,050,000.00
2	TURNER/FITTER	1,024,800.00
1	PLANT SUPERVISOR	421,200.00
1	OILMAN	166,800.00
3	ACCOUNT ASSISTANT/CASHIER	2,106,000.00
3	FUEL CLERK/ATTENDANT	664,200.00
3	LOADING/FUEL SUPERVISOR	702,000.00
1	IT ASSISTANT	354,000.00
1	PROCUREMENT ASSISTANT	234,000.00
8	RECOVERY HELPERS	1,113,600.00
4	LIGHT VEHICLE DRIVER	1,080,000.00
3	FIELD AUDIT ASSISTANT/AUDITOR	808,200.00
3	MEDIUM VEHICLE DRIVER	928,800.00
	ESTIMATED ANNUAL WAGES Total:	36,449,028.00

PLACE : Nairobi

Date : 2nd-Apr-2025

LAWRENCE OREKI

For GA Insurance Limited

Duly Authorized Signatory

APPENDIX 3c

1900000321

DESIGNER

Insurance Agencies Limited

GENERAL BUSINESS DEBIT NOTE

NO. 18497 DATE: 11-Feb-2026

INSURED'S NAME & ADDRESS	SUKARI INDUSTRIES LTD APA P.O. Box 237-40302 NDHIWA		
CLASS OF POLICY	WORKERS INJURY BENEFIT ACT(WIB.	POLICY NO	30/1101/0006035
PERIOD OF INSURANCE	FROM: 20-Jan-2026	TO:	31-Dec-2026
RISK COVERED	44 FACTORY WORKERS, 15 OFFICE STAFF.		
SUM INSURED	Kshs. 29,352,718		
INSURERS	A P A INSURANCE LTD		
PREMIUM	PREMIUM SHS 342,173 POLICY HOLDERS FUND SHS 855 INSURANCE TRAINING LEVY SHS 684 TOTAL: SHS 343,712		

AUTHORISED OFFICIAL

WIBA SUKARI

APPENDIX 3d

APA Insurance Limited , APOLLO CENTRE
P.O.BOX 30065 - 00100, NAIROBI, KENYA
TEL.0202862000
info@apainsurance.org

WIBA POLICY SCHEDULE

Agency :	DESIGNER INSURANCE AGENCIES LIMITED	Class of Insurance:	WORK INJURY BENEFIT ACT (WIBA)
Policy No.:	30/1101/0006035		
Old Policy No.:		Risk Note Number:	
Name:	SUKARI INDUSTRIES LIMITED	Currency :	KSHS
Address:	P O BOX 237 40302 KENYA NDHIWA	Premium:	342,173.00
Telephone:		Stamp Duty:	0.00
Email Address:		Training Levy:	684.00
PIN:	PIN :P051308483N	PHFund:	855.00
Occupation of Insured:		Total Premium:	343,712.00

PERIOD OF INSURANCE

(a) From 20/01/2026 to 31/12/2026

(b) Renewal date: 01/01/2027

(c) Any subsequent period for which the Insured shall pay and the company shall accept a Renewal Premium

Workmen compensation law(s):

a) The Workmen Compensation Act No.72 of 1948 of Kenya as amended by the Compensation (Amended) Act No.45 of 1955 of Kenya.
b) The Workmens Compensation (Amendment) Act No. 17 of 1963 of Kenya.
c) The Workmens Compensation (Amendment) Act of 1963 of Kenya.
d) The Workmens Compensation Act Chapter 236(Revised Edition, 1970) as amended by the statute law (Miscellaneous Amendments) Act 1987.
e) The Workmens Compensation Act Chapter 236(Revised Edition, 1970) as amended by the statute law (Miscellaneous Amendments) Act 2000.
f) Work Injury Benefits Act 2007

GEOGRAPHICAL AREA:

BENEFITS:

DEATH	PERMANENT TOTAL DISABLEMENT	TEMPORARY TOTAL/PARTIAL DISABLEMENT	MEDICAL EXPENSES (PER PERSON)	FUNERAL EXPENSES (PER PERSON)

SCHEDULE OF EMPLOYEES

Item no	Occupations of employees/Names	No of employees	Estimated annual salaries/ wages & other earnings on which premium is based
1	Factory workers	44	20,905,714.00
2	Office staff	15	8,447,004.00
	Totals:	59	29,352,718.00

LIMITS OF LIABILITY:

Any One Person	Kshs. 10,000,000.00
Any One Event	Kshs. 25,000,000.00
Any One Year	Kshs. 50,000,000.00
Death	8.00
Permanent Total Disability	8.00
Temporary Total Disability	52.00